

Jaroslav Vaskovsky  
12/28/2011

Page 1

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JAROSLAW WASKOWSKI,

Plaintiff,

vs.

Civil Action

No. 1-CV-13036

HON. MARK A. GOLDSMITH

MAGISTRATE JUDGE HLUCHANIUK

STATE FARM MUTUAL AUTOMOBILE

INSURANCE COMPANY,

Defendant.

PAGE 1 TO 70

The Deposition of JERRY VASKOVSKY,

Taken at 45109 Van Dyke Avenue,

Utica, Michigan,

Commencing at 1:10 p.m.,

Wednesday, December 28, 2011

Before Mary Jeanne Henn, CSR 2940.

Jaroslav Vaskovsky  
12/28/2011

Page 2

1

2 APPEARANCES:

3

4 LEE ROY H. TEMROWSKI P31967

5 45109 Van Dyke Avenue

6 Utica, Michigan 48317

7 586 254-5666

8 Appearing on behalf of the Plaintiff.

9

10 JAMES F. HEWSON P27127

11 Hewson & Van Hellemont, P.C.

12 25900 Greenfield Road

13 Suite 326

14 Oak Park, Michigan 48237

15 248 968-5200

16 Appearing on behalf of the Defendant.

17

18 THOMAS J. FREDERICK

19 Winston & Strawn, LLP

20 33 West Wacker Drive

21 Chicago, Illinois 60601

22 312 558-5983

23 Appearing on behalf of the Defendant.

24

25 APPEARANCES CONTINUED:

Jaroslav Vaskovsky  
12/28/2011

Page 3

1

2 ALSO PRESENT:

3

4 PETER CHOJNACKI

5 Interpreter.

6

7 KAMILA WASKOWSKA

8 Accompanying the Witness.

9

10 MATT MCKINLEY

11 Hanson/Renaissance Court Reporters

12 Video Technician.

13

14

15

16

17

18

19

20

21

22

23

24

25

Jaroslav Vaskovsky  
12/28/2011

Page 4

1

2

INDEX TO EXAMINATIONS

3

Witness

Page

4

JERRY VASKOVSKY

5

6

EXAMINATION BY MR. HEWSON

6

7

8

9

10

11

INDEX TO EXHIBITS

12

13

14

DEPOSITION EXHIBIT NUMBER 1

9

15

Petition for Name Change

16

17

18

19

20

21

22

23

24

25

Jaroslav Vaskovsky  
12/28/2011

Page 5

1 Utica, Michigan

2 Thursday, December 28, 2011

3 Approximately 1:10 p.m.

4 VIDEO TECHNICIAN: We are now on the record. This  
5 is the videotaped deposition of Jaroslav Waskowski being  
6 taken in Utica, Michigan. Today is December 28, 2011. The  
7 time is 1:10:50 p.m.

8 Will the attorneys introduce themselves and the  
9 court reporter please swear in the witness.

10 MR. TEMROWSKI: Lee Temrowski appearing on behalf  
11 of the plaintiff.

12 MR. HEWSON: James Hewson appearing on behalf of  
13 State Farm.

14 PETER CHOJNACKI  
15 interpreter herein, having first been duly sworn to  
16 translate from English to Polish and from Polish to English  
17 to the best of his ability, interpreted the testimony of  
18 JERRY VASKOVSKY as follows:

19 JERRY VASKOVSKY,  
20 having first been duly sworn, was examined and testified on  
21 his oath as follows:

22 MR. TEMROWSKI: Before we begin the deposition, I  
23 just want to put a brief statement on the record, that this  
24 lawsuit is for first-party No-Fault benefits. However, in  
25 this case medical mileage benefits and transportation

Jaroslav Vaskovsky

12/28/2011

Page 6

1 benefits are not included. Those benefits are the subject  
2 of another lawsuit.

3 Because those benefits, medical mileage and  
4 transportation, are not being claimed in this case, I simply  
5 want to state at the outset that I'm not going to allow any  
6 questioning of any kind or nature whatsoever pertaining to  
7 medical mileage or transportation. That's the statement  
8 that I wanted to make before we begin.

9 MR. HEWSON: Recognizing my brother counsel's  
10 objection, I would indicate that the only time the subject  
11 might tangentially be referred to will arise, I believe, in  
12 connection with the injuries that Mr. Waskowski is claiming  
13 and not the medical mileage issue or transportation  
14 directly.

15 The record should reflect that this is the day and  
16 date set for the taking of the deposition of Mr. Jaroslav  
17 Waskowski pursuant to notice and agreement of counsel as to  
18 time and place. The deposition is taken in connection with  
19 the matter pending in the United States District Court for  
20 the Eastern District of Michigan before the Honorable Mark  
21 Goldsmith.

22 EXAMINATION BY MR. HEWSON:

23 Q. Mr. Waskowski, have you been deposed before?

24 A. Yes.

25 Q. When was that, please?

Jaroslav Vaskovsky  
12/28/2011

Page 7

1 A. In 2010.

2 Q. Did you use the services of an interpreter in that  
3 deposition in 2010?

4 A. Yes.

5 Q. You understand that even if you believe you understand my  
6 question in English, you are to only respond in Polish and  
7 the interpreter will then translate?

8 A. Yes.

9 Q. Thank you. If I ask you a question that is confusing or  
10 unclear, I need you to stop us, tell us that, and we'll  
11 rephrase it and have it reinterpreted so you do understand  
12 it. Is that all right?

13 A. That's good.

14 Q. If I ask you a question that you don't know the answer to,  
15 I want you to feel free to tell us that you don't know. I  
16 don't want you to guess, all right?

17 A. That's good.

18 Q. If I ask you a question and you answer it, I'm going to  
19 assume that you understood me and you are answering me  
20 truthfully; is that fair?

21 A. Yes.

22 Q. Very good. For the record, sir, would you state your name  
23 and tell us where you live?

24 A. Name and what?

25 Q. Where you live.

Jaroslav Vaskovsky

12/28/2011

Page 8

1 A. My name is Jerry Vaskovsky.

2 Q. Where do you live?

3 A. Sterling Heights, 2614 Avis.

4 MR. TEMROWSKI: I just received that today.

5 MR. HEWSON: This is his --

6 BY MR. HEWSON:

7 Q. Sir, your counsel was kind enough to hand me a certification  
8 of name change. You changed your name December 12, 2011?

9 A. That's correct.

10 Q. Why did you change your name?

11 A. On December 12 I got naturalized. I got citizenship, and  
12 due to my Polish name is kind of difficult to pronounce in  
13 English, I changed my name to English sound.

14 Q. Very good. How long have you been in the United States?

15 A. Eight years.

16 Q. When you came to the United States what was your port of  
17 entry?

18 A. In Detroit.

19 Q. Have you lived in Detroit for the whole eight years you have  
20 been in the United States?

21 A. Yes, in the area of Detroit.

22 MR. HEWSON: Certainly. I am going to mark the  
23 petition for name change as Exhibit 1 just so we have it,  
24 Mr. Temrowski.

25 MR. TEMROWSKI: That's fine.



Jaroslav Vaskovsky  
12/28/2011

Page 9

1 DEPOSITION EXHIBIT 1  
2 Petition for Name Change  
3 WAS MARKED BY THE REPORTER  
4 FOR IDENTIFICATION.

5 BY MR. HEWSON:

6 Q. That indicates your date of birth is 1963.

7 A. That's correct.

8 Q. Where in Poland were you born?

9 A. In Gdynia, G-D-Y-N-I-A.

10 Q. How far did you go in school?

11 A. I graduated technical school.

12 Q. What is technical school, please?

13 A. Technical school is a little bit higher than high school  
14 here, because graduating technical school I had vocational,  
15 vocation, and I can pursue my vocational career.

16 Q. What was your vocational career?

17 A. I am technical mechanic of industrial -- industrial  
18 technical mechanic.

19 Q. Does that training involve automobiles, trucks, that sort  
20 of thing, or is it large machines in a factory?

21 A. The huge machines.

22 Q. Have you worked in that capacity before you came to the  
23 United States, that is working on huge machines?

24 A. Yes.

25 Q. How long did you work?

Jaroslav Vaskovsky  
12/28/2011

Page 10

1 A. Three years.

2 Q. When did you stop working at that job in Poland?

3 A. Before I arrived in America.

4 Q. How long before you arrived in America did you stop working?

5 A. Exact date I don't remember, but I might say it was about a  
6 month or two months before I arrived here.

7 Q. Prior to working with the huge machines for three years,  
8 what did you do in Poland?

9 A. We have had our own store.

10 Q. What kind of store was it?

11 A. It was a grocery store.

12 Q. How long did you operate the grocery store?

13 A. Since 1990. Practically until arriving here.

14 Q. You did both jobs at the same time?

15 A. My daughters were helping me and my former wife, they were,  
16 they helped.

17 Q. I understand. I just was curious if you had the grocery  
18 store and were working there and working with the heavy  
19 machinery at the same time.

20 A. Yes, because my job with the big machines was very specific.  
21 I was working on a ship in Gdynia and I was working three  
22 months, and then month and a half I hadn't worked over  
23 there.

24 Q. What was the name of the company that you worked for in  
25 Gdynia?

Jaroslav Vaskovsky  
12/28/2011

Page 11

1 A. It wasn't a company from Gdynia, it was a company from  
2 Scotland.

3 Q. What was the name of the company from Scotland?

4 A. Special Marine Service.

5 Q. Were you ever injured while you worked for Special Marine  
6 Service?

7 A. No.

8 Q. Were you ever injured working in the grocery store?

9 A. No.

10 Q. Can you tell me prior to operating the grocery store what  
11 you had done for work?

12 A. I'm sorry?

13 Q. Prior to working --

14 MR. TEMROWSKI: Before.

15 BY MR. HEWSON:

16 Q. Before the grocery store, which was in 1990, what did he do  
17 for work before that?

18 A. I was also working in my own business. Plumbing. Basically  
19 plumbing job.

20 Q. How long did you work as a plumber?

21 A. Since I graduated school until 1990.

22 Q. Why did you stop working as a plumber?

23 A. In that time, in the nineties, there was big changes in  
24 Poland, economical changes, political changes, and it was  
25 much faster and easier to get more money on the other field,

Jaroslav Vaskovsky  
12/28/2011

Page 12

1 in the grocery stores, than to be a plumber.

2 Q. Since you have come to the United States, what have you  
3 done for work?

4 A. I was working in a contractor's business.

5 Q. What was the name of the company, please?

6 A. There was no name of the company. I was doing it just for  
7 myself. At the time I couldn't even register the company  
8 because all my documents were not filed yet.

9 Q. When you came to the United States, what was your status?

10 A. Tourist.

11 Q. How long did your tourist status last?

12 A. Three years.

13 Q. During that three-year period of time were you able to work?

14 A. Basically I couldn't.

15 Q. How did you support yourself during that period of time?

16 A. I was doing small jobs or helping people with small projects  
17 at homes and then they paid me, so that's how I survived.

18 Q. Where did you live during that three-year period of time?

19 A. I was living at the apartment in Sterling Heights on  
20 Fourteen Mile -- Fourteen Mile Road and Schoenherr.

21 Q. Did anyone live there with you?

22 A. I'm sorry?

23 Q. I'm sorry. Did anyone else live there with you at the  
24 apartment at Fourteen and Schoenherr?

25 A. My daughter, Margaret.

Jaroslav Vaskovsky  
12/28/2011

Page 13

- 1 Q. Is that the young lady that's here with us today?
- 2 A. No. This is my older daughter.
- 3 Q. What was your status after your tourist visa expired?
- 4 A. After three years I married a woman.
- 5 Q. Other than having the status of being a married man now,
- 6 what was your status in the country?
- 7 A. I got a Green Card.
- 8 Q. Did you go to work once you got the Green Card?
- 9 A. Yes.
- 10 Q. What did you go to work doing?
- 11 A. I got a CD license and started to work as a truck driver.
- 12 Q. Did you work for a particular company driving trucks?
- 13 A. Yes.
- 14 Q. What company was that, please?
- 15 A. The first company was KLC from Chicago.
- 16 Q. How long did you work for them?
- 17 A. I don't remember. I might say it was about six, seven
- 18 months.
- 19 Q. What type of driving did you do for KLC?
- 20 A. I was transporting between Chicago and California.
- 21 Q. Did that job require any lifting?
- 22 A. Yes.
- 23 Q. What kinds of things were you transporting between Chicago
- 24 and California?
- 25 A. To California there was lots of varieties of things, but

Jaroslav Vaskovsky  
12/28/2011

Page 14

1 from California to Chicago I basically was bringing produce,  
2 vegetables, fruits.

3 Q. Were you a member of a union?

4 A. No.

5 Q. Why did you leave the job with KLC?

6 A. Another company gave more money so I went there.

7 Q. What company was that?

8 A. Turbo Express.

9 Q. Where are their offices?

10 A. Also in Chicago.

11 Q. What size vehicle were you driving for Turbo?

12 A. Semi trucks. Semi trucks with trailers, 53 feet long.

13 Q. Were you required to do any lifting with Turbo Express?

14 A. Yes.

15 Q. What kinds of weights were you lifting for that job?

16 A. There was all kinds of varieties, lifting up to even 30,  
17 40 pounds. It depends on what kind of cargo was it.

18 Q. Were you a member of a union when you were driving for Turbo  
19 Express?

20 A. No.

21 Q. Were you ever injured while you worked with Turbo Express?

22 A. No.

23 Q. Were you ever injured while you worked for KLC?

24 A. No.

25 Q. How long did you work for Turbo Express?

Jaroslav Vaskovsky  
12/28/2011

Page 15

- 1 A. Around an hour and a half -- year and a half. Sorry.
- 2 Q. That's all right.
- 3 A. Maybe a little shorter.
- 4 Q. Why did you leave that job?
- 5 A. Because I found a job in Detroit.
- 6 Q. Who did you go to work for in Detroit?
- 7 A. A transportation company that transported car accessories.
- 8 Q. Do you know the name of the company?
- 9 A. Yes.
- 10 Q. What is the name of the company?
- 11 A. Yes Express.
- 12 Q. What kind of vehicle were you driving for them?
- 13 A. Semi trucks, 53 feet long trailers.
- 14 Q. Were there lifting requirements with Yes Express?
- 15 A. Sometimes, yes.
- 16 Q. What kind of weights were you involved in lifting with
- 17 Yes Express?
- 18 A. Maximum up to 30, 40 pounds.
- 19 Q. Were you a member of a union when you drove for Yes Express?
- 20 A. No.
- 21 Q. When you were lifting for Yes Express, were you provided
- 22 with equipment that would assist you such as a dolly or that
- 23 sort of thing?
- 24 A. Yes.
- 25 Q. Was it your job to unload the truck at the destination that

Jaroslav Vaskovsky  
12/28/2011

Page 16

1           you were driving to?

2    A.    When I was going to the destination, I was transporting  
3           automotive parts. I had to come to the destination and  
4           park, back into the place, but sometimes it was only I had  
5           to bring the trailer, disconnect trailer and connect another  
6           trailer.

7                    The job of the driver is not only sitting behind  
8           the steering wheel, but also a driver has to slide the  
9           wheels -- not the wheels, the tires or wheels, the trailer,  
10          you know, there are double. There are weight limits,  
11          limited.

12   Q.    But you were not required as part of this job to unload  
13           the truck?

14   A.    It would depend if this was for automotive industry, then  
15           not. I just have to bring the trailer and switch the  
16           trailer with another trailer. For other companies I had  
17           to load and unload.

18   Q.    Where is the office of Yes Express, please?

19   A.    Wyoming Avenue. It is in Dearborn. It is on Michigan  
20           and Wyoming in Dearborn.

21   Q.    How long did you work there?

22   A.    Until the accident happened.

23   Q.    How much were you paid?

24   A.    On average I was doing \$3,200.00 a month.

25   Q.    Did they withhold taxes from that payment to you?



Jaroslav Vaskovsky  
12/28/2011

Page 17

1 A. No, I had to pay my taxes myself. I was working there  
2 as a subcontractor.

3 Q. Did you own your own cab?

4 A. No.

5 Q. The equipment you drove belonged to Yes Express, correct?

6 A. Yes.

7 Q. The amount of \$3,200.00 was based upon what?

8 A. It would depend on how many rounds I was driving.

9 Q. Were there any benefits that were paid to you or provided  
10 for you by Yes Express?

11 A. No.

12 Q. Were you ever injured while you were working for Yes  
13 Express?

14 A. No.

15 Q. Have you ever made a claim for workers' compensation  
16 benefits?

17 A. No.

18 Q. Why aren't you driving now?

19 A. I take very strong pills that kills the pain, and I have  
20 lots of anxiety after the accident.

21 Q. What are you anxious about?

22 A. I'm afraid that somebody can hit me, and also the pain that  
23 I am still experiencing, it doesn't allow me to work.

24 Q. Why were you deposed in 2010?

25 A. I was deposed for benefits from this accident from the

Jaroslav Vaskovsky  
12/28/2011

Page 18

1 other driver that hit me.

2 Q. You were involved in another car accident in July of 2009;  
3 am I correct in that?

4 A. Yes.

5 Q. Where did that accident happen?

6 A. It was at the intersection of Wyoming and Michigan.

7 Q. Were you working at the time?

8 A. I was coming back home with my own car after work.

9 Q. How did that accident happen?

10 A. I was on the intersection and the other driver was driving  
11 on his red light and it hit me.

12 Q. What part of the vehicle that you were driving was struck?

13 A. The rear right fender. The left, not right, but rear.

14 Q. Thank you. Were you insured with anyone at the time?

15 A. The car insurance?

16 Q. Yes.

17 A. Yes.

18 Q. Who was that, please, what company?

19 A. State Farm.

20 Q. Did you make a claim with State Farm for that?

21 A. What kind of claim are you asking?

22 Q. Any kind of claim.

23 A. Yes, I claimed.

24 Q. What did you claim for?

25 A. I claimed the car was hit, was struck, it was damaged.

Jaroslav Vaskovsky  
12/28/2011

Page 19

1 Q. Did you ask State Farm to pay for repairs to the car?

2 A. I was planning to repair the car, but the claim adjuster  
3 who came to check the car, he said that the car will be  
4 totaled.

5 Q. Did State Farm pay you for that vehicle?

6 A. Yes.

7 Q. Did you repair the vehicle?

8 A. No.

9 Q. Did you buy a new vehicle?

10 A. Yes.

11 Q. What kind of vehicle did you buy?

12 A. Mazda Six.

13 Q. Were you injured in that accident in July of '09?

14 A. No.

15 Q. Did you suffer any anxiety in July of '09?

16 A. No.

17 Q. Why do you think that the accident we're here for today  
18 caused you anxiety when the one in July of '09 did not?

19 A. I'm not a doctor, I cannot say why, but right now when I  
20 even sitting as a passenger driving with my daughter and  
21 going with my daughter, I have anxiety.

22 Q. Do you remember what kind of vehicle you were driving in  
23 2009 when that accident happened?

24 A. Yes.

25 Q. What kind of vehicle was it, please?

Jaroslav Vaskovsky  
12/28/2011

Page 20

- 1 A. Mazda Six.
- 2 Q. We're talking about July of 2009, the first accident.
- 3 A. Yes.
- 4 Q. What was the date of the accident that you filed this
- 5 lawsuit over?
- 6 A. What was the date of the accident?
- 7 Q. The date of it, yes, please.
- 8 A. The last one?
- 9 Q. Yes.
- 10 A. It was a day before the Christmas Eve.
- 11 Q. Of what year?
- 12 A. 2009.
- 13 Q. Have you had any automobile accidents since Christmas Eve
- 14 of 2009?
- 15 A. No.
- 16 Q. Have you driven a motor vehicle since that time?
- 17 A. No.
- 18 Q. Why not?
- 19 A. Because I have lots of anxiety and my health doesn't allow
- 20 me to do it. I have lots of pain even when I try to drive.
- 21 Q. How long after the accident on December 23, 2009 did you
- 22 begin to develop anxiety?
- 23 A. Practically right away after the accident happened.
- 24 Q. What would happen to you as a result of this anxiety?
- 25 A. I'm sorry?

Jaroslav Vaskovsky  
12/28/2011

Page 21

1 Q. What would happen to you, what would you feel as a result  
2 of the anxiety?

3 A. This is a fear, I'm afraid.

4 Q. Does that fear have any particular focus, is there something  
5 specifically you're afraid of?

6 A. As I just said, I'm afraid somebody else can struck me.

7 Q. Then you only have the anxiety when you're in the car or  
8 motor vehicle?

9 A. Yes.

10 Q. Do you take medication for anxiety?

11 A. For anxiety?

12 Q. Yes.

13 A. No.

14 Q. Have you told your doctors about your anxiety?

15 A. Yes.

16 Q. Who have you told?

17 A. I told my doctor, Dr. Glowacki. Do you want me to spell it?

18 Q. No. G-L-O-W-A-C-K-I. I know Dr. Glowacki. Did you tell  
19 any other doctor about your anxiety?

20 A. I don't remember.

21 Q. How did the accident happen on December 23, 2009?

22 A. I was standing, like waiting on a center line, as the third  
23 car. I was waiting to turn on the left. On the blinking  
24 yellow light, the first car turned left, went, and struck  
25 the car that was coming from the north side going south.

Jaroslav Vaskovsky  
12/28/2011

Page 22

1 That car lost control and struck me, and when the car struck  
2 me it just pushed me totally to the right side next to the  
3 flower shop.

4 Q. What was the intersection?

5 A. Dequindre and Fifteen Mile.

6 Q. Which direction were you heading on -- I'm sorry, which  
7 street were you on at the time?

8 A. I was on Dequindre Road going north and I was planning  
9 to turn west on Maple Road.

10 Q. Where were you going to at the time?

11 A. To the Polish market.

12 Q. Was there anyone in the car with you?

13 A. No.

14 Q. What part of your vehicle was struck by that other vehicle?

15 A. What I inspected later, I have seen the first front left  
16 fender and rear left fender was struck, was damaged. The  
17 whole impact went into the front left fender, front left  
18 side, and practically the wheel, front left wheel.

19 Q. Did the air bag deploy?

20 A. No.

21 Q. Was your vehicle drivable after the collision?

22 A. Yes. It was four months old, the vehicle.

23 Q. Even with the collision damage, though, you could drive  
24 the vehicle after the accident?

25 A. No. Right after the accident it was not drivable. I

Jaroslav Vaskovsky  
12/28/2011

Page 23

1 understand you incorrectly previously when you asked him.

2 Q. That's okay. Why wasn't it drivable as you observed it?

3 A. It was not drivable, the damage.

4 Q. Did you have the vehicle towed?

5 A. Yes.

6 Q. Who called the tow truck?

7 A. One of my daughters. I don't remember exactly which one.

8 Q. Did you call your daughters from the scene of the accident?

9 A. Yes.

10 Q. I assume you have a cell phone.

11 A. I didn't have a cell phone. The lady from the flower shop,  
12 she asked me if I wanted to call somebody to let them know.

13 Q. Did you use the flower shop phone to call your daughters?

14 A. Yes.

15 Q. Did the vehicle that struck you strike any other cars that  
16 you observed?

17 A. I don't know.

18 Q. Am I correct that after the collision your vehicle went to  
19 the right over to the curb, to your right as the driver,  
20 over to the curb?

21 A. I'm sorry, say that again.

22 Q. That's fine. Did your vehicle, after the other vehicle  
23 struck you, go to your right as the driver, move to your  
24 right, his vehicle?

25 A. Okay. My vehicle, I found it later. It's just standing

Jaroslav Vaskovsky  
12/28/2011

Page 24

1 next to the flower shop. I don't remember how it got there,  
2 how the car found itself over there next to the flower shop.

3 Q. Do you remember the collision itself?

4 A. Until the moment of impact, yes.

5 Q. Did you see the other vehicle strike your vehicle?

6 A. I have seen it when this vehicle, the other vehicle, was  
7 coming toward me.

8 Q. But do you remember the collision itself, do you remember  
9 the impact?

10 A. The moment of impact I do remember, but immediately after  
11 that, I don't remember what happened immediately after that  
12 impact.

13 Q. Did you strike your head on something inside the car?

14 A. I don't know, I don't remember.

15 Q. Where was your car after you began remembering things again?

16 A. In a parking lot at the flower shop.

17 Q. When you began remembering again, were you sitting in the  
18 driver's seat of your vehicle in the parking lot of the  
19 flower shop?

20 A. Yes.

21 Q. Was the vehicle running or had you shut it off?

22 A. I don't remember.

23 Q. Did anyone ever indicate to you that they drove the vehicle  
24 for you from the point of the collision into the parking lot  
25 at the flower shop?



Jaroslav Vaskovsky  
12/28/2011

Page 25

1 A. You mean that somebody told me to move my vehicle from the  
2 collision to the parking?

3 Q. That they did it for him.

4 A. No.

5 Q. Were you wearing your seat belt when you began remembering  
6 again?

7 A. Yes.

8 Q. Were you wearing your seat belt at the time of the  
9 collision?

10 A. Yes, I always have my seat belt on.

11 Q. When you began remembering again, were you bleeding from  
12 anywhere on your head?

13 A. I was in shock. I don't remember. Even when I went out  
14 from the car, I don't remember.

15 Q. Do you remember getting out of the car in the parking lot  
16 of the flower shop?

17 A. The whole accident, the whole thing, I just remember like  
18 without -- with a fog. You know, it's very foggy for me.  
19 I start to remember better when my daughters came to the  
20 accident scene.

21 Q. You were able to remember your daughters' phone numbers;  
22 am I correct?

23 A. I don't know. It was a shock. Many people remember  
24 different things, many different things.

25 Q. Had you been in shock before?

Jaroslav Vaskovsky  
12/28/2011

Page 26

- 1 A. Before this accident?
- 2 Q. Yes.
- 3 A. No.
- 4 Q. Have you been in shock since?
- 5 A. No.
- 6 Q. What kind of phone did you use in the flower shop?
- 7 A. I don't remember.
- 8 Q. Did you have your daughters' phone numbers written down
- 9 somewhere?
- 10 A. No.
- 11 Q. So you remembered them without having to look at anything,
- 12 right?
- 13 A. Yes, I did remember even without any writing.
- 14 Q. After you called your daughters what did you do?
- 15 A. I was standing next to the car.
- 16 Q. You went back out of the flower shop to the car?
- 17 A. Yes.
- 18 Q. Did anyone help you walk to the car?
- 19 A. I don't remember.
- 20 Q. How long did you wait at the car before your daughters
- 21 got there?
- 22 A. I don't remember exactly because my daughter was working on
- 23 the other side of intersection. It must be very quickly
- 24 when she came.
- 25 Q. Were the police there when your daughters got there?

Jaroslav Vaskovsky  
12/28/2011

Page 27

- 1 A. Yes.
- 2 Q. Did you speak to the police?
- 3 A. I don't remember.
- 4 Q. Do you remember whether or not they asked you if you needed  
5 an ambulance?
- 6 A. Nobody asked me if I need an ambulance.
- 7 Q. Did you ask for an ambulance?
- 8 A. I don't remember.
- 9 Q. Did you tell anyone at the scene that you were hurt?
- 10 A. I don't recall.
- 11 Q. Were you hurt at the scene?
- 12 A. No, I didn't have any bleeding.
- 13 Q. Was your body hurting anywhere while you were at the scene?
- 14 A. Immediately after the accident, I don't remember, I was in  
15 shock.
- 16 Q. How long did you stay at the scene before you left?
- 17 A. My daughter told me later it was around one hour.
- 18 Q. Do you remember leaving the scene of the accident?
- 19 A. I know that my daughter took me home.
- 20 Q. But do you remember leaving the scene with your daughter  
21 and driving to your home, do you remember that?
- 22 A. Yes, I do remember.
- 23 Q. From the time of the accident until the time that your  
24 daughter returned you to your home, did you vomit or were  
25 you nauseous?

Jaroslav Vaskovsky  
12/28/2011

Page 28

1 A. No, not at that time. Only the very next day the pain came,  
2 the pain, my headache and nausea at this time.

3 Q. Did you have any problems with your vision from the time of  
4 the accident until the time your daughter drove you home?

5 A. I don't understand the question.

6 Q. Did you have any problems with focusing your vision or  
7 having double vision?

8 A. No.

9 Q. Did you have any dizziness from the time of the accident  
10 until the time your daughter got you home?

11 A. I didn't have any dizziness, but I had my headache.

12 Q. When did your headache start?

13 A. Right after we came right home.

14 Q. Did you have any ringing in your ears, any funny noises in  
15 your ears, after the accident until the time your daughter  
16 got you home?

17 A. I don't remember. It was two years ago.

18 Q. Your headache started when you got home on the same day  
19 as the accident?

20 A. Yes. I took the pain killers.

21 Q. What pain killers did you take?

22 A. I think it was Ibuprofen.

23 Q. Had you ever had headaches like that before?

24 A. No.

25 Q. Have you ever been diagnosed with migraine headaches?

Jaroslav Vaskovsky  
12/28/2011

Page 29

- 1 A. No.
- 2 Q. When did you go to the hospital, if you did?
- 3 A. Between Christmas and New Year I went to the doctor in
- 4 Hamtramck.
- 5 Q. Which doctor did you go to?
- 6 A. His name was Wietrzykowski. Do you want me to spell it?
- 7 Q. If you could.
- 8 A. W-I-E-T-R-Z-Y-K-O-W-S-K-I.
- 9 Q. Thank you.
- 10 A. You're welcome.
- 11 Q. Why did you go to that doctor?
- 12 A. His last name indicates that he might speak Polish.
- 13 Q. Had you ever been to him before?
- 14 A. No.
- 15 Q. Did he treat you between Christmas and New Year's?
- 16 A. I went to visit him one time.
- 17 Q. What did he do for you?
- 18 A. He prescribed me pain killers and sent me -- gave me a
- 19 prescription for x-ray. As far as I remember -- he can't
- 20 remember well -- he prescribed me also the physical therapy,
- 21 but I'm not sure about that.
- 22 Q. Did you ever go back to him?
- 23 A. No, I didn't went back to him because he doesn't communicate
- 24 in the Polish language, and for me it's rather difficult to
- 25 communicate in English.

Jaroslav Vaskovsky  
12/28/2011

Page 30

- 1 Q. Did that doctor advise that you go to an emergency room?
- 2 A. No.
- 3 Q. Did you take the medications that the doctor prescribed?
- 4 A. Yes.
- 5 Q. Did they help you?
- 6 A. This medicine helps only for a couple of hours, and even
- 7 though I take them up till today, and he also prescribed
- 8 me Vicodin which I take also as a pain killer.
- 9 Q. So they would relieve your pain for a couple hours?
- 10 A. Yes, to take the pain away.
- 11 Q. Do they still take the pain away?
- 12 A. Yes.
- 13 Q. Did you take your pain medication today?
- 14 A. No.
- 15 Q. Why not?
- 16 A. These pills are kind of narco, so I wanted to be full aware
- 17 of the questions I will be asked. I didn't want to, you
- 18 know, take medication, to be fully aware.
- 19 Q. Who did you treat with after, and I will never be able to
- 20 say the name of the first doctor you treated with.
- 21 A. Dr. Glowacki.
- 22 Q. How did you get Dr. Glowacki's name?
- 23 A. I found him in the telephone book, the first name, and it
- 24 sounds like a Polish name, and my first question was does
- 25 your doctor speak Polish.

Jaroslav Vaskovsky  
12/28/2011

Page 31

1 Q. Did you see your lawyer before you saw Dr. Glowacki?

2 A. No.

3 Q. Where did you see Dr. Glowacki the first time?

4 A. When or where?

5 Q. Where.

6 A. Dr. Glowacki's office is on Van Dyke and Eighteen Mile Road.

7 Q. How did you get there the first time?

8 A. My daughter took me there.

9 Q. Did you have the vehicle involved in the collision repaired?  
10 Your vehicle, I mean.

11 A. Did you have?

12 Q. Did he have his vehicle repaired, the vehicle from the  
13 accident.

14 A. Yes, it was repaired.

15 Q. Where is that vehicle now?

16 A. My other daughter, she has this car. She is right now  
17 at work.

18 Q. Other than your anxiety, is there any other reason that  
19 you can't drive your car?

20 A. The pain.

21 Q. Where is your pain?

22 A. My shoulder, hand, my neck and hand and the bottom of my  
23 back, lower back.

24 Q. When you were indicating, you were pointing to your left  
25 side. Is it your left shoulder that causes you problems?

Jaroslav Vaskovsky  
12/28/2011

Page 32

1 A. Yes.

2 Q. Is it the left side of your neck that's causing you  
3 problems?

4 A. In my neck there are discs that are replaced, displaced,  
5 and they're pushing the nerves.

6 Q. Who told you that?

7 A. Dr. Glowacki.

8 Q. Do you know if he had you tested to see if the nerves in  
9 your neck were displaced or the discs in your neck were  
10 displaced?

11 A. Yes.

12 Q. What tests did he have you take?

13 A. Magnetic resonance.

14 Q. Where did you have that done?

15 A. Nineteen Mile and Schoenherr.

16 Q. Was it a hospital or a clinic?

17 A. Clinic.

18 Q. Do you know the name of the clinic?

19 A. No, I don't remember. And also bone scan was performed.

20 Q. Did Dr. Glowacki tell you what the bone scan showed?

21 A. Yes.

22 Q. What did he tell you?

23 A. The damage of my ribs and the bridge between the lungs.

24 Q. That's fine.

25 A. And my arm here, the arm, shoulder.



Jaroslav Vaskovsky  
12/28/2011

Page 33

1 Q. Has any other doctor told you the bone scan showed you had  
2 damage to your chest, your upper chest and your shoulder and  
3 arm? Has anyone else told you that?

4 A. I've got a written statement from the hospital in Dequindre  
5 and Nineteen Mile Road. They sent me a description of this.

6 Q. Did Dr. Glowacki interpret the bone scan from Beaumont  
7 Hospital?

8 A. My daughters, they wrote it -- they read it, and they speak  
9 perfect English.

10 Q. Other than your daughters telling you what it said, did Dr.  
11 Glowacki tell you what the Beaumont Hospital bone scan  
12 showed?

13 A. Yes. What my daughters read to me from this note from the  
14 hospital was exactly the same what Dr. Glowacki said to me,  
15 this damage is in the chest, the arm and upper arm.

16 Q. What is Dr. Glowacki doing for you for what he told you  
17 was damage to your chest, your shoulder and upper arm?

18 A. Physical therapy.

19 Q. How long have you been going to physical therapy?

20 A. Practically I was attending -- I was going to this physical  
21 therapy since January 2010, three times a week.

22 Q. How do you get there?

23 A. My daughters took me there.

24 Q. You have been going to physical therapy three times a week  
25 for almost two years?

Jaroslav Vaskovsky  
12/28/2011

Page 34

- 1 A. Yes.
- 2 Q. Where do you go to physical therapy?
- 3 A. One is in Fifteen Mile and Dequindre and the other one is
- 4 in Hamtramck.
- 5 Q. Do you know the name of the clinic?
- 6 A. Euro Rehab.
- 7 Q. Is it the same name for both locations?
- 8 A. Yes.
- 9 Q. What is the name of your physical therapist?
- 10 A. Dr. Lozinski.
- 11 Q. Can you spell that for me?
- 12 A. L-O-Z-I-N-S-K-I.
- 13 Q. Is Dr. Lozinski a physical therapist or a physician, if you
- 14 know.
- 15 A. He's not a physical therapist, he is a doctor that runs the
- 16 place, and the physical therapist is somebody else.
- 17 Q. Who is the physical therapist?
- 18 A. His first name is Andrew, Andre, but I don't know his last
- 19 name.
- 20 Q. What do they do for you at physical therapy?
- 21 A. All kinds of massages and exercises.
- 22 Q. What part of your body do they massage?
- 23 A. My back, the left side and also the arm.
- 24 Q. Does the pain in your arm go down into your hand?
- 25 A. Yes.

Jaroslav Vaskovsky  
12/28/2011

Page 35

1 Q. Is there any particular part of your hand that is involved?

2 A. Sometimes I have my hand is numb, kind of numb, and the  
3 other times are like ants in this arm and the other times  
4 there is severe pain going through the whole arm and hand.

5 Q. Does the pain when it's severe involve the back and the  
6 front of your hand and the fingers and the thumb?

7 A. It goes from my elbow to the palm.

8 Q. Not to any of the fingers?

9 A. No. Unless I don't feel it because it's numb.

10 Q. Okay. The pain in your shoulder, does that go anywhere  
11 else in your body?

12 A. The shoulder?

13 Q. Yes.

14 A. Yes. The pain from the shoulder, it radiates to the whole  
15 arm.

16 Q. The pain in your neck, is that all connected to your  
17 shoulder and arm pain, is that what you're saying?

18 A. The pain from the neck goes to my shoulder and this rotator  
19 here in my arm, goes down to the elbow.

20 Q. I notice you hold your head fairly stiff. Does that help  
21 you with the pain, the way you hold your head?

22 A. Yes.

23 Q. Why do you hold your head to the left?

24 A. It is more comfortable for me.

25 Q. Besides massages, what else do they do to your body at

Jaroslav Vaskovsky  
12/28/2011

Page 36

1 physical therapy?

2 A. I cannot even name this exercises they do. They do some  
3 ultrasounds. I don't know.

4 Q. Let's talk about that first. Have they been doing  
5 ultrasound to you for almost two years now?

6 A. Yes.

7 Q. What part of your body do they do the ultrasound to?

8 A. The lower and upper back, the left side.

9 Q. Describe to me how the ultrasound feels.

10 A. How do I feel it?

11 Q. Yes. What does it feel like?

12 A. I feel like electrical power, electrical power goes through  
13 my body, electricity goes through my body. Sometimes the  
14 exercises through the electrical impulse, it moves all my  
15 muscles.

16 Q. Do they use hot packs on you?

17 A. Yes.

18 Q. Do they use them on every visit?

19 A. Yes.

20 Q. Besides ultrasound and hot packs, is there anything else  
21 they do that's of that nature, using machines on you or  
22 anything like that?

23 A. Yes.

24 Q. What else do they use?

25 A. They put me on the machine that slides me upside down.

Jaroslav Vaskovsky  
12/28/2011

Page 37

1 They put like kind of pulling my neck. Also exercises,  
2 the strength of my hand, with this machines.

3 Q. Are you any better?

4 A. These machines, actually, they allow me to help me in  
5 moving.

6 Q. Are you any better, though?

7 A. Yes.

8 Q. What can you do for yourself?

9 A. What can I do?

10 Q. Yes.

11 A. Sit down. Sometimes with the help of other persons,  
12 stand up.

13 Q. That's it?

14 A. Going to restroom, moving.

15 Q. Can you bathe yourself?

16 A. Yes.

17 Q. Have you been able to bathe yourself since the accident  
18 happened?

19 A. At the beginning, no.

20 Q. How long were you unable to bathe yourself?

21 A. Around six months.

22 Q. Do you take baths or do you shower?

23 A. Yes, shower.

24 Q. Why couldn't you take a shower?

25 A. He takes shower.

Jaroslav Vaskovsky  
12/28/2011

Page 38

1 Q. Why couldn't you take a shower by yourself in the first  
2 six months?

3 A. I had such a big pain on the left side that I cannot move  
4 even my left hand, left arm.

5 Q. The first six months after the accident you could not lift  
6 your arm at all?

7 A. That's correct.

8 Q. Did you tell Dr. Glowacki that?

9 A. Yes.

10 Q. Did you tell the emergency room doctor that?

11 A. I was not in the emergency room.

12 Q. You didn't go to the hospital, St. John's Macomb?

13 A. No.

14 Q. Did you tell the people who did your MRI that you couldn't  
15 lift your left arm at all?

16 A. Yes, I did.

17 Q. During that six-month period of time could you use your  
18 fingers and thumb on your left hand, that is squeezing and  
19 things like that?

20 A. Yeah. I was exercising with the help of the small rubber  
21 ball, so month after month it became better and better.

22 Q. Were you able to bend your arm at the elbow in the first  
23 six months after the accident?

24 A. Yes, I could do it, but with very big pain, difficult.

25 Q. Other than that you could not move your left arm; am I

Jaroslav Vaskovsky  
12/28/2011

Page 39

1 right?

2 A. The arm, yes, I couldn't.

3 Q. Did Dr. Glowacki ever hospitalize you for that inability  
4 to use your arm at all?

5 A. No. He sent me to tests, to MRI, performed MRI.

6 Q. He also sent you to physical therapy when you couldn't  
7 move your left arm; am I right?

8 A. Yes, exactly.

9 Q. You told the physical therapist and showed the physical  
10 therapist that you could not move your left arm at all?

11 A. Yes. First before I started the physical therapy, he  
12 performed a test on me, and after the test he realized --  
13 he said what kind of treatment, what kind of exercises I  
14 can do.

15 Q. How did you find your way to Euro Rehab?

16 A. How I found my way?

17 Q. Yes. How did you discover they provided physical therapy,  
18 how did you get referred there?

19 A. This Euro Rehab is in a Polish plaza, and there are three  
20 buildings that are run by the Polish-speaking people, so  
21 every Polish person knows about this Euro Rehab.

22 Q. Did Dr. Glowacki recommend that you go there for physical  
23 therapy?

24 A. No.

25 Q. What kind of exercises do you do at Euro Rehab?

Jaroslav Vaskovsky  
12/28/2011

Page 40

1 A. It's basically pulling the -- pressing the -- my arm and  
2 neck and spine.

3 Q. What do you do physically, how do you move your body in  
4 order to achieve those exercises?

5 A. There are machines, devices that helps you to do it, to  
6 do exercises.

7 Q. When was the last time you were at Euro Rehab?

8 A. About a month and a half ago.

9 Q. Why did you stop going?

10 A. It's too expensive, I cannot afford it.

11 Q. How much do they charge you?

12 A. Until a month and a half ago the insurance paid for that,  
13 but a month and a half ago they stopped paying and -- they  
14 stopped to pay even more than that month and a half ago,  
15 so I couldn't afford it.

16 Q. Did they give you a bill, Euro Rehab, did they give you a  
17 bill?

18 A. I don't know.

19 Q. Do you know how much they were charging you for a visit?

20 A. No.

21 Q. Did they ever come to you and ask you to pay anything out  
22 of your pocket?

23 A. No. I'm just saying for myself, that I know that I will  
24 not be able to afford it.

25 Q. Do you still see Dr. Glowacki?



Jaroslav Vaskovsky  
12/28/2011

Page 41

- 1 A. Yes.
- 2 Q. When was the last time you saw Dr. Glowacki?
- 3 A. In December.
- 4 Q. This month?
- 5 A. Yes.
- 6 Q. How much is Dr. Glowacki charging you?
- 7 A. I don't know.
- 8 Q. Has he given you a bill?
- 9 A. No.
- 10 Q. Are you treating with any other doctors?
- 11 A. Dr. Glowacki sent me to other doctors for second opinion.
- 12 Q. Do you remember the names of those doctors?
- 13 A. No.
- 14 Q. Do you know the specialties of those doctors?
- 15 A. One was a cardiologist. He sent me there because due to
- 16 my dizziness and headaches, so Dr. Glowacki sent me to the
- 17 cardiologist. He also sent me to a neurologist, but I don't
- 18 remember their names.
- 19 Q. What did the cardiologist tell you?
- 20 A. I don't know. Dr. Glowacki has all those tests.
- 21 Q. Did Dr. Glowacki's treatment of you change at all after
- 22 the cardiologist was involved?
- 23 A. No.
- 24 Q. Did the neurologist tell you anything about your condition?
- 25 A. Yeah. They told me it's no good, it's bad.

Jaroslav Vaskovsky  
12/28/2011

Page 42

1 Q. What did they tell you was bad?

2 A. They told me that my discs are displaced and they are  
3 pushing on nerves and that's what caused the pain, and  
4 also my rotator in the arm is also damaged.

5 Q. Besides the cardiologist and neurologist, did Dr. Glowacki  
6 make any other referrals for you to see other doctors?

7 A. No.

8 Q. Do you know Dr. Policherla? If you don't know, then don't  
9 guess.

10 A. I don't know.

11 Q. Have you been to a neurologist on Mack Avenue in Grosse  
12 Pointe Woods, Michigan?

13 A. Polinegra, the first doctor you mentioned.

14 Q. Policherla.

15 A. Okay.

16 Q. How did you get to Dr. Policherla?

17 A. Through Dr. Glowacki.

18 Q. Did Dr. Policherla run any tests on you?

19 A. Yes, he tested.

20 Q. What tests did he do?

21 A. He tested me how my -- the abilities of my activities.

22 Q. He asked you questions?

23 A. Not only.

24 Q. What else did he do besides ask you questions?

25 A. He checked the abilities of my moving, movements.

Jaroslav Vaskovsky  
12/28/2011

Page 43

- 1 Q. Did he use any machines when he examined you?
- 2 A. No.
- 3 Q. He didn't stick any needles in your arm or your shoulder?
- 4 A. No.
- 5 Q. Did you ever go back to him again?
- 6 A. No.
- 7 Q. Why not?
- 8 A. It was only the second opinion of the other doctor.
- 9 Q. Do you recognize the name of Bradley Sewick?
- 10 A. No.
- 11 Q. Do you recognize the name of Spectrum Rehabilitation Clinic?
- 12 A. No.
- 13 Q. Do you recognize the name of Clifford Buckman?
- 14 A. I don't remember.
- 15 Q. How about Laren Lerner, Dr. Laren Lerner?
- 16 A. No, I don't remember this name.
- 17 Q. Have you been to a doctor on Merriman Road in Westland,
- 18 Michigan?
- 19 A. Yes.
- 20 Q. What were you there for?
- 21 A. I'm sorry?
- 22 Q. What were you there for?
- 23 A. I want to ask a question. Is this the doctor the insurance
- 24 company sent me to?
- 25 Q. No. Other than the doctor the insurance company sent you

Jaroslav Vaskovsky  
12/28/2011

Page 44

- 1 to, do you remember going to treat or be examined by a Dr.  
2 Laren Lerner on Merriman Road in Westland, Michigan?  
3 A. I don't remember.  
4 Q. Do you remember treating with or being examined by Dr.  
5 Bradley Klein on Schoenherr Road in Warren, Michigan?  
6 A. No.  
7 Q. Do you know what your outstanding medical bills amount to?  
8 A. For my medicals?  
9 Q. Yes.  
10 A. I might say that I don't know exact numbers of the amount.  
11 Q. Has anyone sued you?  
12 A. Yes, I was already sent for collection.  
13 Q. By whom?  
14 A. For the radiologist, as far as I know.  
15 Q. The radiologist for the MRI?  
16 A. I'm sorry, for the cardiologist.  
17 Q. Do you know what the bill is for the cardiologist?  
18 A. The last time what they sent me, if I remember correctly,  
19 was either \$1,300.00 or \$1,400.00.  
20 Q. Are you able to dress yourself?  
21 A. With help.  
22 Q. What do you need help with in dressing yourself?  
23 A. I need to help with to wear my right side clothes because  
24 I cannot do anything with my left hand.  
25 Q. You can't do anything with your left hand? You can't flex

Jaroslav Vaskovsky  
12/28/2011

Page 45

1 it?

2 A. I can do something with very big pain.

3 Q. When you take your Vicodin, and the pain goes away for a  
4 few hours, are you able to put your clothes on?

5 A. Yes.

6 Q. If you take your medication, you can dress yourself?

7 A. Yes, but I limit using Vicodin. I don't want to damage my  
8 stomach. It's a chemical.

9 Q. Have you told Dr. Glowacki that the Vicodin upsets your  
10 stomach?

11 A. I didn't tell him, but I know the Vicodin is a narcotic, and  
12 after four or five years of using Vicodin, I will be used to  
13 it. What is the word?

14 Q. Has Dr. Glowacki -- strike that, please. Ignore that  
15 portion.

16 Did you tell Dr. Glowacki about your concerns  
17 about taking Vicodin?

18 A. Dr. Glowacki?

19 Q. Did you tell Dr. Glowacki about your concerns regarding  
20 taking Vicodin?

21 A. Yes, so from time to time he changes my medicine.

22 Q. What other medicines have you taken for pain?

23 A. I don't remember the names of the medicine.

24 Q. Do those other medicines work and relieve your pain?

25 A. On a smaller scale, yeah, they help.

Jaroslav Vaskovsky  
12/28/2011

Page 46

- 1 Q. Do you have trouble walking?
- 2 A. Yes.
- 3 Q. Why do you have trouble walking?
- 4 A. Because when I'm moving I have pain in my back.
- 5 Q. What part of your back?
- 6 A. The lower left part of my back.
- 7 Q. Does that pain go into your leg or your buttocks?
- 8 A. It goes to my legs -- my leg.
- 9 Q. How far down your leg does it go?
- 10 A. Up to the knee.
- 11 Q. Does it go down the front of the leg, the back of the leg
- 12 or both?
- 13 A. What both?
- 14 Q. The both, either the front, the back or the front and back?
- 15 A. To the front of the leg.
- 16 Q. Has Dr. Glowacki prescribed you any devices to help you,
- 17 like a cane or a walker or anything like that?
- 18 A. No.
- 19 Q. Have you had to use a wheelchair?
- 20 A. No. I'm using the -- I don't know how to say it, the stiff
- 21 stuff part.
- 22 Q. A back brace?
- 23 A. Back brace, thank you.
- 24 Q. You're welcome.
- 25 A. Yeah. The back brace and also the brace for my neck.

Jaroslav Vaskovsky  
12/28/2011

Page 47

1 Q. Do you wear a stiff collar on your neck?

2 A. Yes.

3 Q. How often do you do that?

4 A. I do it when I am in a car.

5 Q. Why do you wear a stiff collar when you're in a car?

6 A. When I am sitting in a car and the car curves, then it  
7 really -- without this collar, it's really pain.

8 Q. Who told you to do that?

9 A. Doctor.

10 Q. Dr. Glowacki?

11 A. Yes.

12 Q. Did Dr. Glowacki write you a prescriptions for physical  
13 therapy to tell you to go anywhere that you wanted to go?

14 A. He sent me only to physical therapy.

15 Q. Did he write you a paper that said go to physical therapy?

16 A. He prescribed me to go to physical therapy, and I think that  
17 later they contacted and they communicated between them. I  
18 don't know, I cannot say.

19 Q. Did the doctor at Euro Rehab write you a prescription for  
20 physical therapy?

21 A. The doctor at physical therapy, he performed physical  
22 therapy and the prescription that I've got for physical  
23 therapy was from Dr. Glowacki.

24 MR. TEMROWSKI: Does he want to take a break?

25 THE INTERPRETER: Yes.

Jaroslav Vaskovsky  
12/28/2011

Page 48

1 VIDEO TECHNICIAN: We're going off the record at  
2 2:56:35 p.m.

3 (Recess.)

4 VIDEO TECHNICIAN: We're back on the record at  
5 3:08:22 p.m.

6 MR. HEWSON: The record should reflect that while  
7 we were off the record, Mr. Temrowski and I had a chance to  
8 discuss the questions I was asking regarding the plaintiff's  
9 lay witness list. First of all, I stipulate that the  
10 plaintiff can amend the witness list because we have  
11 discovered that certain of the witnesses listed are not part  
12 of this case. Witness number three is Dr. Policherla. He  
13 did not examine Mr. Waskowski, Dr. Sewick, number five, I  
14 believe, is one he had not seen. I don't know about Dr.  
15 Buckman.

16 MR. TEMROWSKI: He did not see him.

17 MR. HEWSON: He did not see him. Did he see Dr.  
18 Lerner?

19 MR. TEMROWSKI: No.

20 MR. HEWSON: However, there -- also witness number  
21 14 is Dr. Yang from New Health Chiropractic who did not see  
22 Mr. Waskowski, by our agreement, and Dr. Donahue who I will  
23 ask about is witness number 26.

24 The other part of our discussion was that in fact  
25 Mr. Waskowski was at St. John's Macomb Hospital for a



Jaroslav Vaskovsky  
12/28/2011

Page 49

1 variety of tests and we'll try and clear that up. If I have  
2 missed anything else, Mr. Temrowski, feel free to put it on  
3 the record.

4 MR. TEMROWSKI: No, that's what we mentioned.

5 MR. HEWSON: Okay.

6 BY MR. HEWSON:

7 Q. Mr. Waskowski, I want to remind you again that if you don't  
8 understand what I'm saying or if you are confused at all, I  
9 want you to stop and tell us, okay?

10 A. Okay.

11 Q. Now, do you remember seeing Dr. Michael Donahue?

12 A. Yes.

13 Q. What did you see Dr. Donahue for?

14 A. Dr. Glowacki was seeking for a second opinion.

15 Q. Do you remember what Dr. Donahue's findings were, or what  
16 did he tell you about your condition?

17 A. Dr. Donahue checked my movement abilities and also checked  
18 the MRI findings and he sent all his opinion in writing to  
19 Dr. Glowacki.

20 Q. Have you seen that writing yourself? Are you sure Dr.  
21 Glowacki had that?

22 A. Yes.

23 Q. Who is Janina Zuczek?

24 A. My first wife -- my former wife, ex-wife.

25 Q. Thank you. Did Ms. Zuczek play any part in your care,

Jaroslav Vaskovsky  
12/28/2011

Page 50

- 1 did she take care of you at all?
- 2 A. No.
- 3 Q. Who is Pavel Zuczek?
- 4 A. The son of Janina Zuczek.
- 5 Q. Did he play any part in your care?
- 6 A. No.
- 7 Q. Who is Mariusz Zuczek?
- 8 A. Also a son of Janina.
- 9 Q. Did he play any part in your care?
- 10 A. No.
- 11 Q. We had talked about the things you could do or couldn't do
- 12 for yourself. For the first six months you needed help in
- 13 showering, correct?
- 14 A. Yes.
- 15 Q. Who helped you do that?
- 16 A. My daughters.
- 17 Q. Is there a normal time of the day that you take a shower?
- 18 A. At that time I was taking a shower just before going to bed.
- 19 Q. At that time, in the first six months after the accident,
- 20 did you live by yourself in your apartment?
- 21 A. No, I was living in the house.
- 22 Q. Was anyone else living with you in the house?
- 23 A. Yes.
- 24 Q. Who was that, please?
- 25 A. My daughter.

Jaroslav Vaskovsky  
12/28/2011

Page 51

- 1 Q. Which daughter, please?
- 2 A. Margaret.
- 3 Q. What type of help did you need in the shower?
- 4 A. I'm sorry. Until April 2009, Kamila was living also with
- 5 me in the house.
- 6 Q. Which one is the young lady sitting here with us today?
- 7 A. Kamila.
- 8 Q. Thank you. After April of 2009, Margaret continued to live
- 9 with you?
- 10 A. She still continues to live with me.
- 11 Q. What kind of help did you need in the shower?
- 12 A. They were helping me to soap and water me, normal, whatever
- 13 is in a shower. I couldn't do it myself.
- 14 Q. Did you ever ask Dr. Glowacki to prescribe for you devices
- 15 that would help you take a shower by yourself?
- 16 A. No.
- 17 Q. Did you wear anything when you were in the shower or were
- 18 you naked when your daughters were helping you?
- 19 A. I had underwear.
- 20 Q. Were you able to shower then by yourself as of June of 2010?
- 21 A. Not exactly myself all the way. Even now I need help when
- 22 I take a shower, but not as much as before, the first six
- 23 months.
- 24 Q. What kind of help do you need now?
- 25 A. For example, showering, soaping my back or even my leg, the

Jaroslav Vaskovsky  
12/28/2011

Page 52

1 bottom, my leg, I cannot bend and wash it myself, I still  
2 need help with it.

3 Q. Did the physical therapist ever make any recommendations to  
4 you about devices or anything else you could use to shower  
5 on your own?

6 A. The devices only that I can install are the handles in a  
7 shower, but I never heard of any devices that can wash me.

8 Q. No one made any mention to you of long-handled sponges or  
9 other devices that would allow you to wash your complete  
10 body with just your right hand?

11 A. Yes, he mentioned, but this device you have also to use it  
12 and do the movement, physical movement, to use it.

13 Q. Do you have any limitations with your right hand and arm?

14 A. No.

15 Q. You are right-handed; am I correct?

16 A. Yes.

17 Q. Are you able to dress yourself now?

18 A. Completely myself, no.

19 Q. What can't you do for yourself dressing?

20 A. I need help with my pants and shirt and sweater. I cannot  
21 raise my left hand up and at the same time put clothes on  
22 me.

23 Q. Can you raise your left hand at all?

24 A. Yes, I can, but only to a certain point.

25 Q. Can you touch your face?

Jaroslav Vaskovsky  
12/28/2011

Page 53

- 1 A. Yes, I can.
- 2 Q. Can you touch the top of your head?
- 3 A. My hand?
- 4 Q. With your left hand.
- 5 A. Yes, with kind of difficulties, yes.
- 6 Q. How far can you bend forward?
- 7 A. Not at all, almost not at all. I can squat but not bend.
- 8 Q. Let me ask you, you can't even bend halfway forward?
- 9 A. No, it causes a lot of pain.
- 10 Q. Because you're sitting in a chair and you're bent at
- 11 a 45-degree angle.
- 12 A. But not the back. My back, my spine, is straight.
- 13 Q. Okay. Do you have any problems taking your medication?
- 14 A. Do you mean swallowing?
- 15 Q. Let's start with that. Do you have any problems swallowing?
- 16 A. No.
- 17 Q. Do you have problems identifying your medications?
- 18 A. Yes.
- 19 Q. What problem do you have identifying your medications?
- 20 A. I am disoriented, I don't recognize them.
- 21 Q. Do you have problems distinguishing colors?
- 22 A. No.
- 23 Q. Do you have problems distinguishing shape?
- 24 A. No.
- 25 Q. Are there medications that you take regularly, that is

Jaroslav Vaskovsky  
12/28/2011

Page 54

- 1 on a schedule?
- 2 A. Some of them, yes.
- 3 Q. Which ones do you take on a schedule?
- 4 A. Regularly I should take medicine that release my muscles,  
5 you know.
- 6 Q. Do you take it regularly?
- 7 A. Yes.
- 8 Q. Do you know the name of that medication?
- 9 A. I don't remember.
- 10 Q. Do you know what color it is?
- 11 A. White.
- 12 Q. Do you know what shape it is?
- 13 A. They are a circle, round.
- 14 Q. Is there any other pill or medication you take regularly?
- 15 A. Yes.
- 16 Q. What other medications do you take regularly?
- 17 A. Pain killers.
- 18 Q. Do you know the name of the pain killers you are presently  
19 taking?
- 20 A. Right now only the Vicodin is what I'm left with.
- 21 Q. How often do you take that?
- 22 A. I try to limit it, but minimum two pills a day.
- 23 Q. Other than your muscle relaxer and your Vicodin, do you  
24 take any other pills regularly?
- 25 A. No.

Jaroslav Vaskovsky  
12/28/2011

Page 55

- 1 Q. Do you take those yourself, are you able to take them,  
2 open the bottle, put it in your mouth and swallow it?
- 3 A. With opening the bottle, sometimes I have a problem.
- 4 Q. Do you open the bottle yourself most of the time?
- 5 A. No.
- 6 Q. Who opens them for you?
- 7 A. My daughters.
- 8 Q. Is it one daughter more than the other?
- 9 A. It depends which daughter is presently at home.
- 10 Q. Did you cook meals before the accident of December of 2009?
- 11 A. Yes.
- 12 Q. What kind of meals would you cook?
- 13 A. What kind of what?
- 14 Q. Meals.
- 15 A. Polish food.
- 16 Q. I actually know what that is, but tell me what you used  
17 to prepare.
- 18 A. Pierogis, bigos, golumpki -- bigos is sauerkraut -- and  
19 pork, pork chops.
- 20 Q. How often were you cooking back in the days when you were  
21 working?
- 22 A. I changed my job to the local so I can be home more often,  
23 and the last time when I was working, in this period, this  
24 last company, I was four days at work and three days at home  
25 a week, and those days that I was home I was cooking. When

Jaroslav Vaskovsky  
12/28/2011

Page 56

1 I was living -- or driving for a job, I was preparing a meal  
2 for my daughters for those days that I will be absent from  
3 home.

4 Q. You changed your job before the accident happened?

5 A. Yes. In May of 2009 I started to work for that company that  
6 was transporting automotive parts.

7 Q. But you stayed local, is that what you said?

8 A. It's a long sentence.

9 Q. I want the whole thing.

10 A. Say again but shorter. My job was this: I was two days at  
11 work and I did trip. Then I was coming back home for a day  
12 and a half. Then I was going to work again for two days.  
13 Practically, it was four days at work, three days off work.

14 Q. Do you know if that job is still available for you?

15 A. I don't know.

16 Q. Have you made any contact with your old employer to see  
17 whether or not the job was still available?

18 A. I was -- soon after the accident happened in January, I  
19 contacted my employer and I told him that I am disabled  
20 right now to work, but whenever I will be able I can go back  
21 and still work. It's not on the payroll, it's different  
22 type of work. It's like subcontractor.

23 Q. What else did your daughters do for you around the house  
24 after the accident that you couldn't do for yourself besides  
25 helping you with showering and helping you with getting



Jaroslav Vaskovsky  
12/28/2011

Page 57

1 dressed?

2 A. Basically all things that are needed to be done at home like  
3 cooking and laundry, taking the dogs out, cutting the grass.  
4 All those things that has to be done at home that normally I  
5 did, now they do it.

6 Q. You did the laundry as well while you were working?

7 A. Yes, I did.

8 Q. Did Margaret do any chores around the house before your  
9 accident?

10 A. Before the accident?

11 Q. Before the accident.

12 A. She was trying to help me but not as much as right now she's  
13 helping me. She has her job and also studies.

14 Q. What did she do for you before the accident happened?

15 A. What did she do?

16 Q. Yes. What kind of things did she do for you before the  
17 accident?

18 A. For me it was enough that her room will be clean and  
19 the bathroom will be clean. She cleaned the bathroom.

20 Q. You did all the rest of the household chores?

21 A. Yes.

22 Q. Do you do physical therapy exercises at home?

23 A. Yes.

24 Q. How long do you do those?

25 A. Four times a week, around half an hour.

Jaroslav Vaskovsky  
12/28/2011

Page 58

1 MS. WASKOWSKA: Four times a day.

2 THE INTERPRETER: I'm sorry, thank you. Four  
3 times a day for about half an hour. Thank you.

4 BY MR. HEWSON:

5 Q. What exercises do you do?

6 A. It is the exercises for releasing my hand so I can start to  
7 move my hand more easily.

8 Q. What do you physically do with your hand to release it?

9 A. My daughters, they help me to raise my hand and my arm and  
10 hand as high as possible. And I am still pushing and  
11 releasing that rubber ball, the big ball, and laying on  
12 it and releasing that back.

13 Q. You can lay on the big ball yourself; am I right?

14 A. When my daughter is next to me and she's watching me and  
15 also holding me. I lay on it on my belly, not on my back.

16 Q. Your daughters have to lift your arm for you?

17 A. Yes.

18 Q. So you can't -- if your arm is straight, you cannot lift  
19 your arm to shoulder level; am I right?

20 A. She is lifting up my hand. I am lifting up my hand, but  
21 then she is lifting higher to the point that I cannot  
22 myself.

23 Q. How high? Can you show me how high you can lift your left  
24 hand?

25 A. That's all.

Jaroslav Vaskovsky  
12/28/2011

Page 59

- 1 Q. That's all? Why do you use your right hand to steady your  
2 left?
- 3 A. To support my left hand.
- 4 Q. Other than physical therapy, has Dr. Glowacki made any other  
5 recommendations to you regarding this left arm problem?
- 6 A. No.
- 7 Q. Do you receive massage at home?
- 8 A. My daughters, they try to do it for me.
- 9 Q. What part of your body do they massage?
- 10 A. The left side.
- 11 Q. The whole left side?
- 12 A. The left side and my arm.
- 13 Q. How often do they do that?
- 14 A. They try to do it right after the exercises with my hand and  
15 all the other things, so it seems like four times a day.
- 16 Q. How long does that take?
- 17 A. About 15 minutes.
- 18 Q. Do you need to be supervised?
- 19 A. Yes.
- 20 Q. Why do you need to be supervised?
- 21 A. Because I cannot do the things that I did before.
- 22 Q. In your opinion, can you be left alone?
- 23 A. In the house?
- 24 Q. Anywhere.
- 25 A. For a short time, yes, I am sometimes staying alone,

Jaroslav Vaskovsky  
12/28/2011

Page 60

1 but only for a short time. There is no other choice.

2 Q. How often are you alone?

3 A. Very seldomly, not often.

4 Q. Is there a regular day of the week that you are alone?

5 A. No. When there is -- their time of work and school  
6 schedule, when they cannot be with me at home, so there's  
7 a short period of time I'm alone.

8 Q. During those periods you have been alone, has anything bad  
9 happened to you?

10 A. No.

11 Q. Do you read the paper?

12 A. No.

13 Q. Do you read anything?

14 A. Internet.

15 Q. Are you on the Internet every day?

16 A. No.

17 Q. How often are you on the Internet?

18 A. It's hard to say. It depends on what the needs are.

19 Q. You have a computer; is that correct?

20 A. Yes.

21 Q. You are able to get on the Internet when you need to by  
22 yourself; am I right?

23 A. Turn on Internet?

24 Q. Yes.

25 A. Yes.

Jaroslav Vaskovsky  
12/28/2011

Page 61

1 Q. You are able to put letters together from a keyboard to  
2 communicate with the Internet; am I right?

3 A. No.

4 Q. No? How do you access the Internet without a keyboard?

5 A. With a mouse.

6 Q. You don't have e-mail, correct?

7 A. Yes, I do.

8 Q. How do you e-mail with a mouse?

9 A. I'm not writing e-mails. You asked me if I have e-mail.

10 Q. You don't write e-mails?

11 A. No. If I have to write, then I write, but very slow with  
12 the right hand.

13 Q. You can't type at all with the left hand, or can you?

14 A. I try. This is part of the exercises.

15 Q. Did someone prescribe that for you as part of the exercises?

16 A. No, I did myself.

17 Q. Did you promise to pay your daughters money for helping you  
18 around the house?

19 A. Yes.

20 Q. How much did you promise to pay them?

21 A. For helping myself with my chores, like clothing and all  
22 this stuff, \$15.00 an hour, and helping in the house chores,  
23 \$20.00 an hour.

24 MS. WASKOWSKA: \$20.00 a day.

25 THE INTERPRETER: I'm sorry?

Jaroslav Vaskovsky  
12/28/2011

Page 62

1 MS. WASKOWSKA: \$20.00 a day.

2 THE INTERPRETER: \$20.00 a day?

3 A. I'm sorry, \$20.00 a day.

4 BY MR. HEWSON:

5 Q. How did you arrive at \$15.00 per hour as the price to pay  
6 your daughters for helping you with your personal care?

7 A. When the insurance stopped paying me, then I went to my  
8 attorney and he told me the prices that should be paid.

9 Q. You don't have to tell me what your attorney told you.  
10 Again, don't do that, okay? I don't want to know what  
11 you and he talked about.

12 A. Okay.

13 Q. Thank you. How many hours do you owe Margaret for helping  
14 you with your personal care?

15 A. How many hours?

16 Q. Yes.

17 A. Until now?

18 Q. Yes.

19 A. I didn't count it yet.

20 Q. Did you keep track of the time that Margaret helped you?

21 A. Yes.

22 Q. Where did you keep track of that?

23 A. In the house.

24 Q. Is it written down?

25 A. It's marked on a calendar.

Jaroslav Vaskovsky  
12/28/2011

Page 63

- 1 Q. Did you keep anything on the computer?
- 2 A. No.
- 3 Q. When Margaret is helping you out, is there a regular number  
4 of hours she spends with you during the day?
- 5 A. It depends on their schedule. When they can -- when they  
6 are available, when the school and work allow them, then  
7 they come and helping me with this.
- 8 Q. Where does Margaret work?
- 9 A. In a cosmetic shop.
- 10 Q. Do you know where it's located?
- 11 A. I think Fourteen Mile and Woodward. Maybe Orchard Lake,  
12 I'm not sure.
- 13 Q. How many days a week does she work?
- 14 A. Forty hours a week. No, no, less than that. Something  
15 around 32 hours a week.
- 16 Q. How many days a week does she work?
- 17 A. How many days?
- 18 Q. Yes.
- 19 A. How many days a week?
- 20 Q. How many days per week does she work?
- 21 A. It varies. There is a paper on the refrigerator and  
22 it shows when she works.
- 23 Q. Is she working today?
- 24 A. Yes.
- 25 Q. Did she work yesterday?

Jaroslav Vaskovsky  
12/28/2011

Page 64

- 1 A. No.
- 2 Q. Did she work Monday?
- 3 A. No.
- 4 Q. When she works, whatever day it is, is it the same number  
5 of hours?
- 6 A. No.
- 7 Q. Am I correct that unless you write down what hours Margaret  
8 is actually there helping you, we can't tell that from her  
9 regular work schedule, can we?
- 10 A. She helps me every day.
- 11 Q. For how long?
- 12 A. As much as she can.
- 13 Q. Do you know how many hours is my question. How many hours  
14 of the day that she's able to help you, how many hours is  
15 that?
- 16 A. Practically whenever she's home.
- 17 Q. Does she go to school?
- 18 A. Yes.
- 19 Q. Where does she go to school?
- 20 A. Oakland University.
- 21 Q. How many days per week does she go to school at Oakland  
22 University?
- 23 A. Two days a week.
- 24 Q. What two days does she go?
- 25 A. I don't remember what, but I believe it's Tuesday and



Jaroslav Vaskovsky  
12/28/2011

Page 65

1 Friday.

2 Q. Does she also work on the days that she goes to school?

3 A. Sometimes she has to go to work, but she tries to stay away.

4 She tries to not work that days.

5 Q. Does she also study when she's not working or in class?

6 A. Not too much.

7 Q. She's not going to be happy to hear you say that.

8 A. She's very smart.

9 Q. She's still not going to be happy to hear that.

10 MS. WASKOWSKA: I will tell her what you said.

11 BY MR. HEWSON:

12 Q. I'm going to send Kamila home with a note. How often does

13 Kamila help you out?

14 A. Almost every day.

15 Q. For how long?

16 A. As much as she can. Sometimes she's three hours with me,  
17 sometimes the other days she's eight and ten hours with me.

18 Q. Do you keep track of your daughter's time in a way that I  
19 can tell the difference between when she's helping you with  
20 the chores and when she's helping you with your personal  
21 care?

22 A. In the house chores they spend around an hour every day.

23 The rest of the time they take care of me.

24 Q. How big is the house?

25 A. Two thousand square feet.

Jaroslav Vaskovsky  
12/28/2011

Page 66

- 1 Q. Did you see the forms that were signed by Margaret and  
2 Kamila and sent to State Farm for the services they  
3 performed?  
4 A. Yes.  
5 Q. Did you review these affidavits for accuracy?  
6 A. I don't have to check on my daughters, I just believe them.  
7 I trust them.  
8 Q. What I was asking -- there's no suggestion that you  
9 wouldn't, I just wanted to know if you saw the affidavits or  
10 if you had them read to you before they were submitted to  
11 State Farm.  
12 A. Yes.  
13 Q. Who read them to you?  
14 A. Either one, Kamila or Margaret.  
15 Q. Is there any way to know which of your daughters read these  
16 to you?  
17 A. No, there is no way.  
18 Q. Do you recognize the name Dr. Lucia Zamorano?  
19 A. Dr. Who?  
20 Q. Lucia Zamorano.  
21 A. Yes.  
22 Q. When did you see Dr. Zamorano?  
23 A. I don't remember, but it was definitely this year.  
24 Q. What did you see Dr. Zamorano for?  
25 A. Dr. Glowacki sent me for the second opinion.

Jaroslav Vaskovsky  
12/28/2011

Page 67

- 1 Q. Do you know what that second opinion was?
- 2 A. No.
- 3 Q. Do you recognize the name of Dr. David Benadaret?
- 4 A. No.
- 5 Q. Have you paid your daughters any money?
- 6 A. The doctors?
- 7 Q. No, no, your daughters.
- 8 A. Yes, I did.
- 9 Q. How much have you paid them?
- 10 A. Right now, I don't understand -- I don't remember.
- 11 Q. When you paid your daughters, did you pay them in cash
- 12 or by check, how did you pay them?
- 13 A. Cash.
- 14 Q. How often were you paying them?
- 15 A. Right now, not at all.
- 16 Q. Back when you were paying them, how often were you paying
- 17 them?
- 18 A. Back when?
- 19 Q. Back at the time you were actually giving them cash, how
- 20 often were you paying them?
- 21 A. When I've got a check, then I paid them.
- 22 Q. Did you keep track of those payments?
- 23 A. Yes.
- 24 Q. Where did you keep track of those payments?
- 25 A. At the home.

Jaroslav Vaskovsky  
12/28/2011

Page 68

1 Q. In what form did you keep track? Did you keep a ledger  
2 or a book or a checkbook or what did you do?

3 A. On a paper, a piece of paper.

4 Q. If I asked you to give that piece of paper to your lawyer,  
5 can you do that?

6 A. Yes.

7 Q. You have not given that to Mr. Temrowski yet, though?

8 A. He never asked me for that.

9 Q. That was my -- all I wanted to know is you haven't given  
10 it to him yet, yes or no.

11 A. That's correct, I didn't.

12 Q. Do you have any doctors' appointments scheduled right now?

13 A. Yes.

14 Q. Who are you going to see?

15 A. In January to Dr. Glowacki.

16 Q. Any other doctors?

17 A. No.

18 Q. When we had taken our break, there was an indication that  
19 your daughter Kamila remembered that you went to St. John  
20 Macomb Hospital. Do you remember after talking to your  
21 daughter that that actually occurred?

22 A. It definitely could take place, but I was visiting so many  
23 doctors and places that I simply can't -- don't remember  
24 that.

25 MR. HEWSON: Just give me one moment. Let's go

Jaroslav Vaskovsky  
12/28/2011

Page 69

1 off the record for a second. I should be done.

2 VIDEO TECHNICIAN: We're going off the record at  
3 3:55:50 p.m.

4 (Recess.)

5 VIDEO TECHNICIAN: We are back on the record at  
6 3:57:05 p.m.

7 MR. HEWSON: I appreciate the opportunity to go  
8 off the record. I have to further questions.

9 MR. TEMROWSKI: No questions.

10 VIDEO TECHNICIAN: We're ending this deposition.  
11 The time is 3:57:15 p.m.

12 (The deposition was concluded at 3:57 p.m.)

13

14

15

16

17

18

19

20

21

22

23

24

25

Jaroslav Vaskovsky  
12/28/2011

Page 70

CERTIFICATE OF NOTARY

STATE OF MICHIGAN )

) SS

COUNTY OF MACOMB )

I, Mary Jeanne Henn, Certified Shorthand Reporter, a  
Notary Public in and for the above county and state, do  
hereby certify that the above deposition was taken before me  
at the time and place hereinbefore set forth; that the  
witness was by me first duly sworn to testify to the truth,  
and nothing but the truth, that the foregoing questions  
asked and answers made by the witness were duly recorded by  
me stenographically and reduced to computer transcription;  
that this is a true, full and correct transcript of my  
stenographic notes so taken; and that I am not related to,  
nor of counsel to either party nor interested in the event  
of this cause.



Mary Jeanne Henn CSR2940

Notary Public,

Macomb County, Michigan

My Commission expires: August 27, 2013

Jaroslav Vaskovsky  
12/28/2011

Page 71

A			
abilities 42:21,25 49:17	anxiety 17:20 19:15,18,21 20:19,22,24 21:2 21:7,10,11,14,19 31:18	35:5 36:8 43:5 46:4,5,6,11,14 46:14,22,23,25 48:4 51:25 53:12 53:12 55:20 56:11,20 58:12 58:15 67:16,18 67:19 69:5	59:9 bone 32:19,20 33:1 33:6,11 book 30:23 68:2 born 9:8 bottle 55:2,3,4 bottom 31:22 52:1 brace 46:22,23,25 46:25 Bradley 43:9 44:5 break 47:24 68:18 bridge 32:23 brief 5:23 bring 16:5,15 bringing 14:1 brother 6:9 Buckman 43:13 48:15 buildings 39:20 business 11:18 12:4 buttocks 46:7 buy 19:9,11
able 12:13 25:21 30:19 37:17 38:22 40:24 44:20 45:4 51:20 52:17 55:1 56:20 60:21 61:1 64:14	anxious 17:21 apartment 12:19,24 50:20 APPEARANCES 2:2,25 appearing 2:8,16 2:23 5:10,12 appointments 68:12 appreciate 69:7 Approximately 5:3 April 51:4,8 area 8:21 arm 32:25,25 33:3 33:15,15,17 34:23,24 35:3,4 35:15,17,19 38:4 38:6,15,22,25 39:2,4,7,10 40:1 42:4 43:3 52:13 58:9,16,18,19 59:5,12	bad 41:25 42:1 60:8 bag 22:19 ball 38:21 58:11 58:11,13 based 17:7 basically 11:18 12:14 14:1 40:1 57:2 bathe 37:15,17,20 bathroom 57:19,19 baths 37:22 Beaumont 33:6,11 bed 50:18 began 24:15,17 25:5,11 beginning 37:19 behalf 2:8,16,23 5:10,12 believe 6:11 7:5 48:14 64:25 66:6 belly 58:15 belonged 17:5 belt 25:5,8,10 Benadaret 67:3 bend 38:22 52:1 53:6,7,8 benefits 5:24,25 6:1,1,3 17:9,16 17:25 bent 53:10 best 5:17 better 25:19 37:3 37:6 38:21,21 big 10:20 11:23 38:3,24 45:2 58:11,13 65:24 bigos 55:18,18 bill 40:16,17 41:8 44:17 bills 44:7 birth 9:6 bit 9:13 bleeding 25:11 27:12 blinking 21:23 body 27:13 34:22 35:11,25 36:7,13 36:13 40:3 52:10	
absent 56:2 access 61:4 accessories 15:7 accident 16:22 17:20,25 18:2,5 18:9 19:13,17,23 20:2,4,6,21,23 21:21 22:24,25 23:8 25:17,20 26:1 27:14,18,23 28:4,9,15,19 31:13 37:17 38:5 38:23 50:19 55:10 56:4,18,24 57:9,10,11,14,17	arrive 62:5 arrived 10:3,4,6 arriving 10:13 asked 23:1,12 27:4 27:6 30:17 42:22 61:9 68:4,8 70:12 asking 18:21 48:8 66:8 assist 15:22 assume 7:19 23:10 attending 33:20 attorney 62:8,9 attorneys 5:8 August 70:24 automobile 1:11 20:13 automobiles 9:19 automotive 16:3,14 56:6 available 56:14,17 63:6 Avenue 1:20 2:5 16:19 42:11 average 16:24 Avis 8:3 aware 30:16,18		
B			
back 16:4 18:8 26:16 29:22,23 31:23,23 34:23			
C			
			cab 17:3 calendar 62:25 California 13:20 13:24,25 14:1 call 23:8,12,13 called 23:6 26:14 cane 46:17 capacity 9:22 car 15:7 18:2,8,15 18:25 19:1,2,3,3 21:7,23,24,25 22:1,1,12 24:2 24:13,15 25:14 25:15 26:15,16 26:18,20 31:16 31:19 47:4,5,6,6 Card 13:7,8 cardiologist 41:15 41:17,19,22 42:5 44:16,17 care 49:25 50:1,5 50:9 62:6,14 65:21,23 career 9:15,16 cargo 14:17 cars 23:15 case 5:25 6:4 48:12 cash 67:11,13,19 cause 70:17 caused 19:18 42:3 causes 31:25 53:9

Jaroslav Vaskovsky  
12/28/2011

Page 72

causing 32:2	clothing 61:21	counsel 6:17 8:7	65:4,17
CD 13:11	collar 47:1,5,7	70:16	Dearborn 16:19,20
cell 23:10,11	collection 44:12	counsel's 6:9	December 1:23 5:2
center 21:22	collision 22:21,23	count 62:19	5:6 8:8,11 20:21
certain 48:11	23:18 24:3,8,24	country 13:6	21:21 41:3 55:10
52:24	25:2,9 31:9	county 70:5,7,23	Defendant 1:13
Certainly 8:22	color 54:10	couple 30:6,9	2:16,23
CERTIFICATE 70:1	colors 53:21	court 1:1 3:11 5:9	definitely 66:23
certification 8:7	come 12:2 16:3	6:19	68:22
Certified 70:6	40:21 63:7	CSR 1:24	depend 16:14 17:8
certify 70:8	comfortable 35:24	CSR2940 70:21	depends 14:17 55:9
chair 53:10	coming 18:8 21:25	curb 23:19,20	60:18 63:5
chance 48:7	24:7 56:11	curious 10:17	deploy 22:19
change 4:15 8:8,10	Commencing 1:22	curves 47:6	deposed 6:23 17:24
8:23 9:2 41:21	Commission 70:24	cutting 57:3	17:25
changed 8:8,13	communicate 29:23		deposition 1:19
55:22 56:4	29:25 61:2		4:14 5:5,22 6:16
changes 11:23,24	communicated 47:17		6:18 7:3 9:1
11:24 45:21	companies 16:16		69:10,12 70:8
charge 40:11	company 1:12 10:24		Dequindre 22:5,8
charging 40:19	11:1,1,3 12:5,6		33:4 34:3
41:6	12:7 13:12,14,15		Describe 36:9
check 19:3 66:6	14:6,7 15:7,8,10		description 33:5
67:12,21	18:18 43:24,25		destination 15:25
checkbook 68:2	55:24 56:5		16:2,3
checked 42:25	compensation 17:15		Detroit 8:18,19,21
49:17,17	complete 52:9		15:5,6
chemical 45:8	Completely 52:18		develop 20:22
chest 33:2,2,15,17	computer 60:19		device 52:11
Chicago 2:21 13:15	63:1 70:13		devices 40:5 46:16
13:20,23 14:1,10	concerns 45:16,19		51:14 52:4,6,7,9
Chiropractic 48:21	concluded 69:12		diagnosed 28:25
choice 60:1	condition 41:24		difference 65:19
CHOJNACKI 3:4 5:14	49:16		different 25:24,24
chops 55:19	confused 49:8		56:21
chores 57:8,20	confusing 7:9		difficult 8:12
61:21,22 65:20	connect 16:5		29:24 38:24
65:22	connected 35:16		difficulties 53:5
Christmas 20:10,13	connection 6:12,18		direction 22:6
29:3,15	contact 56:16		directly 6:14
circle 54:13	contacted 47:17		disabled 56:19
citizenship 8:11	56:19		disconnect 16:5
Civil 1:7	continued 2:25		discover 39:17
claim 17:15 18:20	51:8		discovered 48:11
18:21,22,24 19:2	continues 51:10		discs 32:4,9 42:2
claimed 6:4 18:23	contractor's 12:4		discuss 48:8
18:25	control 22:1		discussion 48:24
claiming 6:12	cook 55:10,12		disoriented 53:20
class 65:5	cooking 55:20,25		displaced 32:4,9
clean 57:18,19	57:3		32:10 42:2
cleaned 57:19	correct 8:9 9:7		distinguishing
clear 49:1	17:5 18:3 23:18		53:21,23
Clifford 43:13	25:22 38:7 50:13		District 1:1,2
clinic 32:16,17,18	52:15 60:19 61:6		6:19,20
34:5 43:11	64:7 68:11 70:14		DIVISION 1:3
clothes 44:23 45:4	correctly 44:18		dizziness 28:9,11
52:21	cosmetic 63:9		41:16



Jaroslav Vaskovsky  
12/28/2011

Page 73

doctor 19:19 21:17  
21:19 29:3,5,11  
30:1,3,20,25  
33:1 34:15 38:10  
42:13 43:8,17,23  
43:25 47:9,19,21  
doctors 21:14  
41:10,11,12,14  
42:6 67:6 68:12  
68:16,23  
documents 12:8  
dogs 57:3  
doing 12:6,16  
13:10 16:24  
33:16 36:4  
dolly 15:22  
Donahue 48:22  
49:11,13,17  
Donahue's 49:15  
double 16:10 28:7  
Dr 21:17,18 30:21  
30:22 31:1,3,6  
32:7,20 33:6,10  
33:14,16 34:10  
34:13 38:8 39:3  
39:22 40:25 41:2  
41:6,11,16,20,21  
42:5,8,16,17,18  
43:15 44:1,4  
45:9,14,16,18,19  
46:16 47:10,12  
47:23 48:12,13  
48:14,17,21,22  
49:11,13,14,15  
49:17,19,20  
51:14 59:4 66:18  
66:19,22,24,25  
67:3 68:15  
dress 44:20 45:6  
52:17  
dressed 57:1  
dressing 44:22  
52:19  
drivable 22:21,25  
23:2,3  
drive 2:20 20:20  
22:23 31:19  
driven 20:16  
driver 13:11 16:7  
16:8 18:1,10  
23:19,23  
driver's 24:18  
driving 13:12,19  
14:11,18 15:12  
16:1 17:8,18  
18:10,12 19:20  
19:22 27:21 56:1

drove 15:19 17:5  
24:23 28:4  
due 8:12 41:15  
duly 5:15,20 70:10  
70:12  
Dyke 1:20 2:5 31:6  

---

E  
ears 28:14,15  
easier 11:25  
easily 58:7  
Eastern 1:2 6:20  
economical 11:24  
eight 8:15,19  
65:17  
Eighteen 31:6  
either 44:19 46:14  
66:14 70:16  
elbow 35:7,19  
38:22  
electrical 36:12  
36:12,14  
electricity 36:13  
emergency 30:1  
38:10,11  
employer 56:16,19  
English 5:16,16  
7:6 8:13,13  
29:25 33:9  
entry 8:17  
equipment 15:22  
17:5  
Euro 34:6 39:15,19  
39:21,25 40:7,16  
47:19  
Eve 20:10,13  
event 70:16  
exact 10:5 44:10  
exactly 23:7 26:22  
33:14 39:8 51:21  
EXAMINATION 4:6  
6:22  
EXAMINATIONS 4:2  
examine 48:13  
examined 5:20 43:1  
44:1,4  
example 51:25  
exercises 34:21  
36:2,14 37:1  
39:13,25 40:4,6  
57:22 58:5,6  
59:14 61:14,15  
exercising 38:20  
Exhibit 4:14 8:23  
9:1  
EXHIBITS 4:11  
expensive 40:10

experiencing 17:23  
expired 13:3  
expires 70:24  
Express 14:8,13,19  
14:21,25 15:11  
15:14,17,19,21  
16:18 17:5,10,13  
ex-wife 49:24  
e-mail 61:6,8,9  
e-mails 61:9,10  

---

F  
F 2:10  
face 52:25  
fact 48:24  
factory 9:20  
fair 7:20  
fairly 35:20  
far 9:10 29:19  
44:14 46:9 53:6  
Farm 1:11 5:13  
18:19,20 19:1,5  
66:2,11  
faster 11:25  
fear 21:3,4  
feel 7:15 21:1  
35:9 36:10,11,12  
49:2  
feels 36:9  
feet 14:12 15:13  
65:25  
fender 18:13 22:16  
22:16,17  
field 11:25  
Fifteen 22:5 34:3  
filed 12:8 20:4  
find 39:15  
findings 49:15,18  
fine 8:25 23:22  
32:24  
fingers 35:6,8  
38:18  
first 5:15,20  
13:15 20:2 21:24  
22:15 30:20,23  
30:24 31:3,7  
34:18 36:4 38:1  
38:5,22 39:11  
42:13 48:9 49:24  
50:12,19 51:22  
70:10  
first-party 5:24  
five 45:12 48:13  
flex 44:25  
flower 22:3 23:11  
23:13 24:1,2,16  
24:19,25 25:16

26:6,16  
focus 21:4  
focusing 28:6  
fog 25:18  
foggy 25:18  
follows 5:18,21  
food 55:15  
foregoing 70:11  
form 68:1  
former 10:15 49:24  
forms 66:1  
forth 70:9  
Forty 63:14  
forward 53:6,8  
found 15:5 23:25  
24:2 30:23 39:16  
four 22:22 45:12  
55:24 56:13  
57:25 58:1,2  
59:15  
Fourteen 12:20,20  
12:24 63:11  
FREDERICK 2:18  
free 7:15 49:2  
Friday 65:1  
front 22:15,17,17  
22:18 35:6 46:11  
46:14,14,15  
fruits 14:2  
full 30:16 70:14  
fully 30:18  
funny 28:14  
further 69:8

---

G  
Gdynia 9:9 10:21  
10:25 11:1  
getting 25:15  
56:25  
give 40:16,16 68:4  
68:25  
given 41:8 68:7,9  
giving 67:19  
Glowacki 21:17,18  
30:21 31:1,3  
32:7,20 33:6,11  
33:14,16 38:8  
39:3,22 40:25  
41:2,6,11,16,20  
42:5,17 45:9,14  
45:16,18,19  
46:16 47:10,12  
47:23 49:14,19  
49:21 51:14 59:4  
66:25 68:15  
Glowacki's 30:22  
31:6 41:21

Jaroslav Vaskovsky  
12/28/2011

Page 74

<p>go 9:10 13:8,10 15:6 23:23 29:2 29:5,11,22 30:1 34:2,24 35:10 38:12 39:22 43:5 46:7,9,11 47:13 47:13,15,16 56:20 64:17,19 64:21,24 65:3 68:25 69:7 goes 35:7,18,19 36:12,13 45:3 46:8 65:2 going 6:5 7:18 8:22 16:2 19:21 21:25 22:8,10 33:19,20,24 35:4 37:14 40:9 44:1 48:1 50:18 56:12 65:7,9,12 68:14 69:2 Goldsmith 1:9 6:21 golumpki 55:18 good 7:13,17,22 8:14 41:25 graduated 9:11 11:21 graduating 9:14 grass 57:3 Green 13:7,8 Greenfield 2:12 grocery 10:11,12 10:17 11:8,10,16 12:1 Grosse 42:11 guess 7:16 42:9 G-D-Y-N-I-A-9:9 G-L-O-W-A-C-K-I 21:18</p> <hr/> <p style="text-align: center;"><b>H</b></p> <hr/> <p>H 2:4 half 10:22 15:1,1 40:8,12,13,14 56:12 57:25 58:3 halfway 53:8 Hamtramck 29:4 34:4 hand 8:7 31:22,22 34:24 35:1,2,4,6 37:2 38:4,18 44:24,25 52:10 52:13,21,23 53:3 53:4 58:6,7,8,9 58:10,20,20,24 59:1,3,14 61:12 61:13</p>	<p>handles 52:6 Hanson/Renaiss... 3:11 happen 18:5,9 20:24 21:1,21 happened 16:22 19:23 20:23 24:11 37:18 56:4 56:18 57:14 60:9 happy 65:7,9 hard 60:18 head 24:13 25:12 35:20,21,23 53:2 headache 28:2,11 28:12,18 headaches 28:23,25 41:16 heading 22:6 health 20:19 48:21 hear 65:7,9 heard 52:7 heavy 10:18 Heights 8:3 12:19 Hellemont 2:11 help 26:18 30:5 35:20 37:4,11 38:20 44:21,22 44:23 45:25 46:16 50:12 51:3 51:11,15,21,24 52:2,20 57:12 58:9 64:14 65:13 helped 10:16 50:15 62:20 helping 10:15 12:16 51:12,18 56:25,25 57:13 61:17,21,22 62:6 62:13 63:3,7 64:8 65:19,20 helps 30:6 40:5 64:10 Henn 1:24 70:6,21 hereinbefore 70:9 Hewson 2:10,11 4:6 5:12,12 6:9,22 8:5,6,22 9:5 11:15 48:6,17,20 49:5,6 58:4 62:4 65:11 68:25 69:7 high 9:13 58:10,23 58:23 higher 9:13 58:21 hit 17:22 18:1,11 18:25 HLUCHANIUK 1:10 hold 35:20,21,23</p>	<p>holding 58:15 home 18:8 27:19,21 27:24 28:4,10,13 28:16,18 55:9,22 55:24,25 56:3,11 57:2,4,22 59:7 60:6 64:16 65:12 67:25 homes 12:17 HON 1:9 Honorable 6:20 hospital 29:2 32:16 33:4,7,11 33:14 38:12 48:25 68:20 hospitalize 39:3 hot 36:16,20 hour 15:1 27:17 57:25 58:3 61:22 61:23 62:5 65:22 hours 30:6,9 45:4 62:13,15 63:4,14 63:15 64:5,7,13 64:13,14 65:16 65:17 house 50:21,22 51:5 56:23 57:8 59:23 61:18,22 62:23 65:22,24 household 57:20 huge 9:21,23 10:7 hurt 27:9,11 hurting 27:13</p> <hr/> <p style="text-align: center;"><b>I</b></p> <hr/> <p>Ibuprofen 28:22 IDENTIFICATION 9:4 identifying 53:17 53:19 Ignore 45:14 Illinois 2:21 immediately 24:10 24:11 27:14 impact 22:17 24:4 24:9,10,12 impulse 36:14 inability 39:3 included 6:1 incorrectly 23:1 INDEX 4:2,11 indicate 6:10 24:23 indicates 9:6 29:12 indicating 31:24 indication 68:18 industrial 9:17,17</p>	<p>industry 16:14 injured 11:5,8 14:21,23 17:12 19:13 injuries 6:12 inside 24:13 inspected 22:15 install 52:6 insurance 1:12 18:15 40:12 43:23,25 62:7 insured 18:14 interested 70:16 Internet 60:14,15 60:17,21,23 61:2 61:4 interpret 33:6 interpreted 5:17 interpreter 3:5 5:15 7:2,7 47:25 58:2 61:25 62:2 intersection 18:6 18:10 22:4 26:23 introduce 5:8 involve 9:19 35:5 involved 15:16 18:2 31:9 35:1 41:22 issue 6:13</p> <hr/> <p style="text-align: center;"><b>J</b></p> <hr/> <p>J 2:18 James 2:10 5:12 Janina 49:23 50:4 50:8 January 33:21 56:18 68:15 Jaroslav 1:5 5:5 6:16 Jeanne 1:24 70:6 70:21 Jerry 1:19 4:4 5:18,19 8:1 job 10:2,20 11:19 13:21 14:5,15 15:4,5,25 16:7 16:12 55:22 56:1 56:4,10,14,17 57:13 jobs 10:14 12:16 John 68:19 John's 38:12 48:25 JUDGE 1:10 July 18:2 19:13,15 19:18 20:2 June 51:20</p>
---	---	--	--



Jaroslav Vaskovsky  
12/28/2011

Page 76

52:12,12  
movements 42:25  
moves 36:14  
moving 37:5,14  
42:25 46:4  
MRI 38:14 39:5,5  
44:15 49:18  
muscle 54:23  
muscles 36:15 54:4  
MUTUAL 1:11

**N**

naked 51:18  
name 4:15 7:22,24  
8:1,8,8,10,12,13  
8:23 9:2 10:24  
11:3 12:5,6 15:8  
15:10 29:6,12  
30:20,22,23,24  
32:18 34:5,7,9  
34:18,19 36:2  
43:9,11,13,16  
54:8,18 66:18  
67:3  
names 41:12,18  
45:23  
narco 30:16  
narcotic 45:11  
naturalized 8:11  
nature 6:6 36:21  
nausea 28:2  
nauseous 27:25  
neck 31:22 32:2,4  
32:9,9 35:16,18  
37:1 40:2 46:25  
47:1  
need 7:10 27:6  
44:22,23 51:3,11  
51:21,24 52:2,20  
59:18,20 60:21  
needed 27:4 50:12  
57:2  
needles 43:3  
needs 60:18  
nerves 32:5,8 42:3  
neurologist 41:17  
41:24 42:5,11  
never 30:19 52:7  
68:8  
new 19:9 29:3,15  
48:21  
Nineteen 32:15  
33:5  
nineties 11:23  
noises 28:14  
normal 50:17 51:12  
normally 57:4

north 21:25 22:8  
Notary 70:1,7,22  
note 33:13 65:12  
notes 70:15  
notice 6:17 35:20  
No-Fault 5:24  
numb 35:2,2,9  
number 4:14 48:12  
48:13,20,23 63:3  
64:4  
numbers 25:21 26:8  
44:10

**O**

Oak 2:14  
Oakland 64:20,21  
oath 5:21  
objection 6:10  
observed 23:2,16  
occurred 68:21  
office 16:18 31:6  
offices 14:9  
okay 23:2,25 35:10  
42:15 49:5,9,10  
53:13 62:10,12  
old 22:22 56:16  
older 13:2  
once 13:8  
ones 54:3  
open 55:2,4  
opening 55:3  
opens 55:6  
operate 10:12  
operating 11:10  
opinion 41:11 43:8  
49:14,18 59:22  
66:25 67:1  
opportunity 69:7  
Orchard 63:11  
order 40:4  
outset 6:5  
outstanding 44:7  
owe 62:13

**P**

packs 36:16,20  
Page 1:16 4:3  
paid 12:17 16:23  
17:9 40:12 62:8  
67:5,9,11,21  
pain 17:19,22  
20:20 28:1,2,20  
28:21 29:18 30:8  
30:9,10,11,13  
31:20,21 34:24  
35:4,5,10,14,16  
35:17,18,21 38:3

38:24 42:3 45:2  
45:3,22,24 46:4  
46:7 47:7 53:9  
54:17,18  
palm 35:7  
pants 52:20  
paper 47:15 60:11  
63:21 68:3,3,4  
park 2:14 16:4  
parking 24:16,18  
24:24 25:2,15  
part 16:12 18:12  
22:14 34:22 35:1  
36:7 46:5,6,21  
48:11,24 49:25  
50:5,9 59:9  
61:14,15  
particular 13:12  
21:4 35:1  
parts 16:3 56:6  
party 70:16  
passenger 19:20  
Pavel 50:3  
pay 17:1 19:1,5  
40:14,21 61:17  
61:20 62:5 67:11  
67:12  
paying 40:13 62:7  
67:14,16,16,20  
payment 16:25  
payments 67:22,24  
payroll 56:21  
pending 6:19  
people 12:16 25:23  
38:14 39:20  
perfect 33:9  
performed 32:19  
39:5,12 47:21  
66:3  
period 12:13,15,18  
38:17 55:23 60:7  
periods 60:8  
person 39:21  
personal 62:6,14  
65:20  
persons 37:11  
pertaining 6:6  
PETER 3:4 5:14  
petition 4:15 8:23  
9:2  
phone 23:10,11,13  
25:21 26:6,8  
physical 29:20  
33:18,19,20,24  
34:2,9,13,15,16  
34:17,20 36:1  
39:6,9,9,11,17

39:22 47:12,14  
47:15,16,20,21  
47:21,22 52:3,12  
57:22 59:4  
physically 40:3  
58:8  
physician 34:13  
piece 68:3,4  
Pierogis 55:18  
pill 54:14  
pills 17:19 30:16  
54:22,24  
place 6:18 16:4  
34:16 68:22 70:9  
places 68:23  
plaintiff 1:6 2:8  
5:11 48:10  
plaintiff's 48:8  
planning 19:2 22:8  
play 49:25 50:5,9  
plaza 39:19  
please 5:9 6:25  
9:12 12:5 13:14  
16:18 18:18  
19:25 20:7 45:14  
50:24 51:1  
plumber 11:20,22  
12:1  
plumbing 11:18,19  
pocket 40:22  
point 24:24 52:24  
58:21  
Pointe 42:12  
pointing 31:24  
Poland 9:8 10:2,8  
11:24  
police 26:25 27:2  
Policherla 42:8,14  
42:16,18 48:12  
Polinegra 42:13  
Polish 5:16,16 7:6  
8:12 22:11 29:12  
29:24 30:24,25  
39:19,21 55:15  
Polish-speaking  
39:20  
political 11:24  
pork 55:19,19  
port 8:16  
portion 45:15  
possible 58:10  
pounds 14:17 15:18  
power 36:12,12  
practically 10:13  
20:23 22:18  
33:20 56:13  
64:16

Jaroslav Vaskovsky  
12/28/2011

Page 77

prepare 55:17  
preparing 56:1  
prescribe 51:14  
61:15  
prescribed 29:18  
29:20 30:3,7  
46:16 47:16  
prescription 29:19  
47:19,22  
prescriptions  
47:12  
PRESENT 3:2  
presently 54:18  
55:9  
pressing 40:1  
previously 23:1  
price 62:5  
prices 62:8  
prior 10:7 11:10  
11:13  
problem 53:19 55:3  
59:5  
problems 28:3,6  
31:25 32:3 53:13  
53:15,17,21,23  
produce 14:1  
projects 12:16  
promise 61:17,20  
pronounce 8:12  
provided 15:21  
17:9 39:17  
Public 70:7,22  
pulling 37:1 40:1  
pursuant 6:17  
pursue 9:15  
pushed 22:2  
pushing 32:5 42:3  
58:10  
put 5:23 36:25  
37:1 45:4 49:2  
52:21 55:2 61:1  
P.C.2:11  
p.m.1:22 5:3,7  
48:2,5 69:3,6,11  
69:12  
P27127 2:10  
P31967 2:4

# Q

question 7:6,9,14  
7:18 28:5 30:24  
43:23 64:13  
questioning 6:6  
questions 30:17  
42:22,24 48:8  
69:8,9 70:11  
quickly 26:23

# R

radiates 35:14  
radiologist 44:14  
44:15  
raise 52:21,23  
58:9  
read 33:8,13 60:11  
60:13 66:10,13  
66:15  
realized 39:12  
really 47:7,7  
rear 18:13,13  
22:16  
reason 31:18  
recall 27:10  
receive 59:7  
received 8:4  
Recess 48:3 69:4  
recognize 43:9,11  
43:13 53:20  
66:18 67:3  
Recognizing 6:9  
recommend 39:22  
recommendations  
52:3 59:5  
record 5:4,23 6:15  
7:22 48:1,4,6,7  
49:3 69:1,2,5,8  
recorded 70:12  
red 18:11  
reduced 70:13  
referrals 42:6  
referred 6:11  
39:18  
reflect 6:15 48:6  
refrigerator 63:21  
regarding 45:19  
48:8 59:5  
register 12:7  
regular 60:4 63:3  
64:9  
regularly 53:25  
54:4,6,14,16,24  
Rehab 34:6 39:15  
39:19,21,25 40:7  
40:16 47:19  
Rehabilitation  
43:11  
reinterpreted 7:11  
related 70:15  
relaxer 54:23  
release 54:4 58:8  
releasing 58:6,11  
58:12  
relieve 30:9 45:24  
remember 10:5  
13:17 19:22

21:20 23:7 24:1  
24:3,8,8,10,11  
24:14,22 25:13  
25:14,15,17,19  
25:21,23 26:7,13  
26:19,22 27:3,4  
27:8,14,18,20,21  
27:22 28:17  
29:19,20 32:19  
41:12,18 43:14  
43:16 44:1,3,4  
44:18 45:23  
49:11,15 54:9  
64:25 66:23  
67:10 68:20,23  
remembered 26:11  
68:19  
remembering 24:15  
24:17 25:5,11  
remind 49:7  
repair 19:2,7  
repaired 31:9,12  
31:14  
repairs 19:1  
rephrase 7:11  
replaced 32:4  
reporter 5:9 9:3  
70:6  
Reporters 3:11  
require 13:21  
required 14:13  
16:12  
requirements 15:14  
resonance 32:13  
respond 7:6  
rest 57:20 65:23  
restroom 37:14  
result 20:24 21:1  
returned 27:24  
review 66:5  
ribs 32:23  
right 7:12,16 15:2  
18:13,13 19:19  
20:23 22:2,25  
23:19,19,23,24  
26:12 28:13,13  
31:16 39:1,7  
44:23 52:10,13  
54:20 56:20  
57:12 58:13,19  
59:1,14 60:22  
61:2,12 67:10,15  
68:12  
right-handed 52:15  
ringing 28:14  
Road 2:12 12:20  
22:8,9 31:6 33:5

43:17 44:2,5  
room 30:1 38:10,11  
57:18  
rotator 35:18 42:4  
round 54:13  
rounds 17:8  
ROY 2:4  
rubber 38:20 58:11  
run 39:20 42:18  
running 24:21  
runs 34:15

# S

sauerkraut 55:18  
saw 31:1 41:2 66:9  
saying 35:17 40:23  
49:8  
scale 45:25  
scan 32:19,20 33:1  
33:6,11  
scene 23:8 25:20  
27:9,11,13,16,18  
27:20  
schedule 54:1,3  
60:6 63:5 64:9  
scheduled 68:12  
Schoenherr 12:20  
12:24 32:15 44:5  
school 9:10,11,12  
9:13,13,14 11:21  
60:5 63:6 64:17  
64:19,21 65:2  
Scotland 11:2,3  
seat 24:18 25:5,8  
25:10  
second 41:11 43:8  
49:14 66:25 67:1  
69:1  
see 24:5 31:1,3  
32:8 40:25 42:6  
48:16,17,17,21  
49:13 56:16 66:1  
66:22,24 68:14  
seeing 49:11  
seeking 49:14  
seen 22:15 24:6  
48:14 49:20  
seldomly 60:3  
Semi 14:12,12  
15:13  
send 65:12  
sent 29:18 33:5  
39:5,6 41:11,15  
41:16,17 43:24  
43:25 44:12,18  
47:14 49:18 66:2  
66:25



Jaroslav Vaskovsky  
12/28/2011

Page 78

<p>sentence 56:8 Service 11:4, 6 services 7:2 66:2 set 6:16 70:9 seven 13:17 severe 35:4, 5 Sewick 43:9 48:13 shape 53:23 54:12 ship 10:21 shirt 52:20 shock 25:13, 23, 25 26:4 27:15 shop 22:3 23:11, 13 24:1, 2, 16, 19, 25 25:16 26:6, 16 63:9 short 59:25 60:1, 7 shorter 15:3 56:10 Shorthand 70:6 shoulder 31:22, 25 32:25 33:2, 17 35:10, 12, 14, 17 35:18 43:3 58:19 show 58:23 showed 32:20 33:1 33:12 39:9 shower 37:22, 23, 24 37:25 38:1 50:17 50:18 51:3, 11, 13 51:15, 17, 20, 22 52:4, 7 showering 50:13 51:25 56:25 shows 63:22 shut 24:21 side 21:25 22:2, 18 26:23 31:25 32:2 34:23 36:8 38:3 44:23 59:10, 11 59:12 signed 66:1 simply 6:4 68:23 sir 7:22 8:7 Sit 37:11 sitting 16:7 19:20 24:17 47:6 51:6 53:10 six 13:17 19:12 20:1 37:21 38:2 38:5, 23 50:12, 19 51:22 six-month 38:17 size 14:11 slide 16:8 slides 36:25 slow 61:11 small 12:16, 16</p>	<p>38:20 smaller 45:25 smart 65:8 soap 51:12 soaping 51:25 somebody 17:22 21:6 23:12 25:1 34:16 son 50:4, 8 soon 56:18 sorry 11:12 12:22 12:23 15:1 20:25 22:6 23:21 43:21 44:16 51:4 58:2 61:25 62:3 sort 9:19 15:23 sound 8:13 sounds 30:24 south 21:25 SOUTHERN 1:3 speak 27:2 29:12 30:25 33:8 Special 11:4, 5 specialties 41:14 specific 10:20 specifically 21:5 Spectrum 43:11 spell 21:17 29:6 34:11 spend 65:22 spends 63:4 spine 40:2 53:12 sponges 52:8 square 65:25 squat 53:7 squeezing 38:18 SS 70:4 St 38:12 48:25 68:19 stand 37:12 standing 21:22 23:25 26:15 start 25:19 28:12 53:15 58:6 started 13:11 28:18 39:11 56:5 state 1:11 5:13 6:5 7:22 18:19 18:20 19:1, 5 66:2, 11 70:3, 7 statement 5:23 6:7 33:4 States 1:1 6:19 8:14, 16, 20 9:23 12:2, 9 status 12:9, 11 13:3, 5, 6</p>	<p>stay 27:16 65:3 stayed 56:7 staying 59:25 steady 59:1 steering 16:8 stenographic 70:15 stenographically 70:13 Sterling 8:3 12:19 stick 43:3 stiff 35:20 46:20 47:1, 5 stipulate 48:9 stomach 45:8, 10 stop 7:10 10:2, 4 11:22 40:9 49:9 stopped 40:13, 14 62:7 store 10:9, 10, 11 10:12, 18 11:8, 10 11:16 stores 12:1 straight 53:12 58:18 Strawn 2:19 street 22:7 strength 37:2 strike 23:15 24:5 24:13 45:14 strong 17:19 struck 18:12, 25 21:6, 24 22:1, 1 22:14, 16 23:15 23:23 studies 57:13 study 65:5 stuff 46:21 61:22 subcontractor 17:2 56:22 subject 6:1, 10 submitted 66:10 sued 44:11 suffer 19:15 suggestion 66:8 Suite 2:13 supervised 59:18 59:20 support 12:15 59:3 sure 29:21 49:20 63:12 survived 12:17 swallow 55:2 swallowing 53:14 53:15 swear 5:9 sweater 52:20 switch 16:15</p>	<p>sworn 5:15, 20 70:10</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>take 17:19 21:10 28:21 30:3, 7, 8 30:10, 11, 13, 18 32:12 37:22, 24 38:1 45:3, 6 47:24 50:1, 17 51:15, 22 53:25 54:3, 4, 6, 14, 16 54:21, 24 55:1, 1 59:16 65:23 68:22 taken 1:20 5:6 6:18 45:22 68:18 70:8, 15 takes 37:25 talk 36:4 talked 50:11 62:11 talking 20:2 68:20 tangentially 6:11 taxes 16:25 17:1 technical 9:11, 12 9:13, 14, 17, 18 Technician 3:12 5:4 48:1, 4 69:2 69:5, 10 telephone 30:23 tell 7:10, 15, 23 11:10 21:18 27:9 32:20, 22 33:11 38:8, 10, 14 41:19 41:24 42:1 45:11 45:16, 19 47:13 49:9, 16 55:16 62:9 64:8 65:10 65:19 telling 33:10 Temrowski 2:4 5:10 5:10, 22 8:4, 24 8:25 11:14 47:24 48:7, 16, 19 49:2 49:4 68:7 69:9 ten 65:17 test 39:12, 12 tested 32:8 42:19 42:21 testified 5:20 testify 70:10 testimony 5:17 tests 32:12 39:5 41:20 42:18, 20 49:1 thank 7:9 18:14 29:9 46:23 49:25</p>
---	--	---	--

51:8 58:2,3  
 62:13  
**therapist** 34:9,13  
 34:15,16,17 39:9  
 39:10 52:3  
**therapy** 29:20  
 33:18,19,21,24  
 34:2,20 36:1  
 39:6,11,17,23  
 47:13,14,15,16  
 47:20,21,22,23  
 57:22 59:4  
**thing** 9:20 15:23  
 25:17 56:9  
**things** 13:23,25  
 24:15 25:24,24  
 38:19 50:11 57:2  
 57:4,16 59:15,21  
**think** 19:17 28:22  
 47:16 63:11  
**third** 21:22  
**THOMAS** 2:18  
**thousand** 65:25  
**three** 10:1,7,21  
 12:12 13:4 33:21  
 33:24 39:19  
 48:12 55:24  
 56:13 65:16  
**three-year** 12:13  
 12:18  
**thumb** 35:6 38:18  
**Thursday** 5:2  
**till** 30:7  
**time** 5:7 6:10,18  
 10:14,19 11:23  
 12:7,13,15,18  
 18:7,14 20:16  
 22:7,10 25:8  
 27:23,23 28:1,2  
 28:3,4,9,10,15  
 29:16 31:3,7  
 38:17 40:7 41:2  
 44:18 45:21,21  
 50:17,18,19  
 52:21 55:4,23  
 59:25 60:1,5,7  
 62:20 65:18,23  
 67:19 69:11 70:9  
**times** 33:21,24  
 35:3,3 57:25  
 58:1,3 59:15  
**tires** 16:9  
**today** 5:6 8:4 13:1  
 19:17 30:7,13  
 51:6 63:23  
**total** 21:14,16,17  
 25:1 27:17 32:6

33:1,3,16 39:9  
41:25 42:2 45:9  
47:8 56:19 62:8  
62:9  
top 53:2  
totaled 19:4  
totally 22:2  
touch 52:25 53:2  
tourist 12:10,11  
13:3  
tow 23:6  
towed 23:4  
track 62:20,22  
65:18 67:22,24  
68:1  
trailer 16:5,5,6,9  
16:15,16,16  
trailers 14:12  
15:13  
training 9:19  
transcript 70:14  
transcription  
70:13  
translate 5:16 7:7  
transportation  
5:25 6:4,7,13  
15:7  
transported 15:7  
transporting 13:20  
13:23 16:2 56:6  
treat 29:15 30:19  
44:1  
treated 30:20  
treating 41:10  
44:4  
treatment 39:13  
41:21  
tries 65:3,4  
trip 56:11  
trouble 46:1,3  
truck 13:11 15:25  
16:13 23:6  
trucks 9:19 13:12  
14:12,12 15:13  
true 70:14  
trust 66:7  
truth 70:10,11  
truthfully 7:20  
try 20:20 49:1  
54:22 59:8,14  
61:14  
trying 57:12  
Tuesday 64:25  
Turbo 14:8,11,13  
14:18,21,25  
turn 21:23 22:9  
60:23

```
turned 21:24
two 10:6 28:17
    33:25 36:5 54:22
    56:10,12 64:23
    64:24 65:25
type 13:19 51:3
    56:22 61:13
```

## U

ultrasound 36:5,7  
36:9,20  
ultrasounds 36:3  
unable 37:20  
unclear 7:10  
understand 7:5,5  
7:11 10:17 23:1  
28:5 49:8 67:10  
understood 7:19  
underwear 51:19  
union 14:3,18  
15:19  
United 1:1 6:19  
8:14,16,20 9:23  
12:2,9  
University 64:20  
64:22  
unload 15:25 16:12  
16:17  
upper 33:2,15,17  
36:8  
upsets 45:9  
upside 36:25  
use 7:2 23:13 26:6  
36:16,18,24  
38:17 39:4 43:1  
46:19 52:4,11,12  
59:1  
Utica 1:21 2:6 5:1  
5:6

## V

Van 1:20 2:5,11  
31:6  
varies 63:21  
varieties 13:25  
14:16  
variety 49:1  
Vaskovsky 1:19 4:4  
5:18,19 8:1  
vegetables 14:2  
vehicle 14:11  
15:12 18:12 19:5  
19:7,9,11,22,25  
20:16 21:8 22:14  
22:14,21,22,24  
23:4,15,18,22,22  
23:24,25 24:5,5

24:6,6,18,21,23  
25:1 31:9,10,12  
31:12,15  
**Vicodin** 30:8 45:3  
45:7,9,11,12,17  
45:20 54:20,23  
**Video** 3:12 5:4  
48:1,4 69:2,5,10  
**videotaped** 5:5  
**visa** 13:3  
**vision** 28:3,6,7  
**visit** 29:16 36:18  
40:19  
**visiting** 68:22  
**vocation** 9:15  
**vocational** 9:14,15  
9:16  
**vomit** 27:24  
**vs** 1:7

## W

Wacker 2:20  
wait 26:20  
waiting 21:22,23  
walk 26:18  
walker 46:17  
walking 46:1,3  
want 5:23 6:5 7:15  
7:16 21:17 29:6  
30:17 43:23 45:7  
47:24 49:7,9  
56:9 62:10  
wanted 6:8 23:12  
30:16 47:13 66:9  
68:9  
Warren 44:5  
wash 52:1,7,9  
WASKOWSKA 3:7 58:1  
61:24 62:1 65:10  
Waskowski 1:5 5:5  
6:12,17,23 48:13  
48:22,25 49:7  
wasn't 11:1 23:2  
watching 58:14  
water 51:12  
way 35:21 39:15,16  
51:21 65:18  
66:15,17  
wear 44:23 47:1,5  
51:17  
wearing 25:5,8  
Wednesday 1:23  
week 33:21,24  
55:25 57:25 60:4  
63:13,14,15,16  
63:19,20 64:21  
64:23

Jaroslav Vaskovsky  
12/28/2011

Page 80

weight 16:10  
weights 14:15  
15:16  
welcome 29:10  
46:24  
went 14:6 21:24  
22:17 23:18  
25:13 26:16 29:3  
29:16,23 62:7  
68:19  
west 2:20 22:9  
Westland 43:17  
44:2  
we'll 7:10 49:1  
we're 19:17 20:2  
48:1,4 69:2,10  
whatsoever 6:6  
wheel 16:8 22:18  
22:18  
wheelchair 46:19  
wheels 16:9,9,9  
White 54:11  
Wietrzykowski 29:6  
wife 10:15 49:24  
49:24  
Winston 2:19  
withhold 16:25  
witness 3:8 4:3  
5:9 48:9,10,12  
48:20,23 70:10  
70:12  
witnesses 48:11  
woman 13:4  
Woods 42:12  
Woodward 63:11  
word 45:13  
work 9:25 11:11,17  
11:20 12:3,13  
13:8,10,11,12,16  
14:25 15:6 16:21  
17:23 18:8 31:17  
45:24 55:24 56:5  
56:11,12,13,13  
56:20,21,22 60:5  
63:6,8,13,16,20  
63:25 64:2,9  
65:2,3,4  
worked 9:22 10:22  
10:24 11:5 14:21  
14:23  
workers 17:15  
working 9:23 10:2  
10:4,7,18,18,21  
10:21 11:8,13,18  
11:22 12:4 17:1  
17:12 18:7 26:22  
55:21,23 57:6

63:23 65:5  
works 63:22 64:4  
wouldn't 66:9  
write 47:12,15,19  
61:10,11,11 64:7  
writing 26:13  
49:18,20 61:9  
written 26:8 33:4  
62:24  
wrote 33:8  
Wyoming 16:19,20  
18:6  
W-I-E-T-R-Z-Y-...  
29:8

X

x-ray 29:19

Y

Yang 48:21  
yeah 38:20 41:25  
45:25 46:25  
year 15:1 20:11  
29:3 66:23  
years 8:15,19 10:1  
10:7 12:12 13:4  
28:17 33:25 36:5  
45:12

Year's 29:15

yellow 21:24

yesterday 63:25

young 13:1 51:6

Z

Zamorano 66:18,20

66:22,24

Zuczek 49:23,25

50:3,4,7

\$

\$1,300.00 44:19

\$1,400.00 44:19

\$15.00 61:22 62:5

\$20.00 61:23,24

62:1,2,3

\$3,200.00 16:24

17:7

0

09 19:13,15,18

1

11:16 4:14 8:23

9:1

1-CV-13036 1:8

1:10 1:22 5:3

1:10:50 5:7  
12 8:8,11  
14 48:21  
15 59:17  
1963 9:6  
1990 10:13 11:16  
11:21

2

2:56:35 48:2  
2009 18:2 19:23  
20:2,12,14,21  
21:21 51:4,8  
55:10 56:5  
2010 7:1,3 17:24  
33:21 51:20  
2011 1:23 5:2,6  
8:8  
2013 70:24  
23 20:21 21:21  
248 2:15  
254-5666 2:7  
25900 2:12  
26 48:23  
2614 8:3  
27 70:24  
28 1:23 5:2,6  
2940 1:24

3

3:08:22 48:5  
3:55:50 69:3  
3:57 69:12  
3:57:05 69:6  
3:57:15 69:11  
30 14:16 15:18  
31 2:22  
32 63:15  
326 2:13  
33 2:20

4

40 14:17 15:18  
45-degree 53:11  
45109 1:20 2:5  
48237 2:14  
48317 2:6

5

53 14:12 15:13  
558-5983 2:22  
586 2:7

6

6 4:6  
60601 2:21

7

70 1:16

9

9 4:14

968-5200 2:15